

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 233**

**Representative Becker**

**Cosponsors: Representatives Antani, Arndt, Blessing, Brenner, Brinkman, Butler, Carfagna, Dean, Dever, Duffey, Faber, Gavarone, Ginter, Goodman, Greenspan, Hagan, Hambley, Henne, Hill, Hood, Householder, Huffman, Keller, Kick, Koehler, Landis, LaTourette, Lipps, McColley, Merrin, Patton, Pelanda, Perales, Rezabek, Riedel, Roegner, Romanchuk, Speaker Rosenberger, Representatives Schaffer, Scherer, Schuring, Seitz, Slaby, Smith, R., Sprague, Stein, Thompson, Vitale, Wiggam, Young, Zeltwanger**

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**A BILL**

To amend sections 2917.11, 2923.11, 2923.12, 1  
2923.121, 2923.122, 2923.123, 2923.126, and 2  
2923.1212 of the Revised Code to enact the 3  
"Decriminalization Effort For Ending Notorious 4  
Deaths (DEFEND)" to provide an opportunity for a 5  
concealed handgun licensee or qualified military 6  
member to avoid guilt for carrying a concealed 7  
handgun into a prohibited place if the person 8  
leaves upon request, and to penalize as 9  
disorderly conduct failing to leave upon request 10  
or returning with a firearm. 11

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

**Section 1.** That sections 2917.11, 2923.11, 2923.12, 12  
2923.121, 2923.122, 2923.123, 2923.126, and 2923.1212 of the 13  
Revised Code be amended to read as follows: 14

**Sec. 2917.11.** (A) No person shall recklessly cause 15  
inconvenience, annoyance, or alarm to another by doing any of 16  
the following: 17

(1) Engaging in fighting, in threatening harm to persons 18  
or property, or in violent or turbulent behavior; 19

(2) Making unreasonable noise or an offensively coarse 20  
utterance, gesture, or display or communicating unwarranted and 21  
grossly abusive language to any person; 22

(3) Insulting, taunting, or challenging another, under 23  
circumstances in which that conduct is likely to provoke a 24  
violent response; 25

(4) Hindering or preventing the movement of persons on a 26  
public street, road, highway, or right-of-way, or to, from, 27  
within, or upon public or private property, so as to interfere 28  
with the rights of others, and by any act that serves no lawful 29  
and reasonable purpose of the offender; 30

(5) Creating a condition that is physically offensive to 31  
persons or that presents a risk of physical harm to persons or 32  
property, by any act that serves no lawful and reasonable 33  
purpose of the offender. 34

(B) No person, while voluntarily intoxicated, shall do 35  
either of the following: 36

(1) In a public place or in the presence of two or more 37  
persons, engage in conduct likely to be offensive or to cause 38  
inconvenience, annoyance, or alarm to persons of ordinary 39  
sensibilities, which conduct the offender, if the offender were 40  
not intoxicated, should know is likely to have that effect on 41  
others; 42

(2) Engage in conduct or create a condition that presents a risk of physical harm to the offender or another, or to the property of another.

(C) (1) No person who has a valid license to carry a concealed handgun or who is a qualified military member and is discovered carrying a concealed handgun onto land or premises in violation of a sign posted pursuant to division (C) (3) (a) of section 2923.126 of the Revised Code or in violation of section 2923.12, 2923.121, 2923.122, or 2923.123 of the Revised Code shall do either of the following:

(a) Refuse or fail to leave the land or premises upon being requested to do so by the owner, lessee, or person in control of the land or premises or by the individual's agent or employee;

(b) Return within thirty days to the same land or premises while knowingly in possession of a firearm in violation of a sign posted pursuant to division (C) (3) (a) of section 2923.126 of the Revised Code or in violation of section 2923.12, 2923.121, 2923.122, or 2923.123 of the Revised Code.

(2) A law enforcement officer or security officer may record any violation of division (C) (1) of this section to determine whether the person has entered the same land or premises more than once within thirty days while knowingly in possession of a firearm in violation of a sign posted pursuant to division (C) (3) (a) of section 2923.126 of the Revised Code or in violation of section 2923.12, 2923.121, 2923.122, or 2923.123 of the Revised Code.

(D) Violation of any statute or ordinance of which an element is operating a motor vehicle, locomotive, watercraft,

aircraft, or other vehicle while under the influence of alcohol 72  
or any drug of abuse, is not a violation of division (B) of this 73  
section. 74

~~(D)~~(E) If a person appears to an ordinary observer to be 75  
intoxicated, it is probable cause to believe that person is 76  
voluntarily intoxicated for purposes of division (B) of this 77  
section. 78

~~(E)~~(F) (1) Whoever violates this section is guilty of 79  
disorderly conduct. 80

(2) Except as otherwise provided in division ~~(E)~~(F) (3) of 81  
this section, disorderly conduct in violation of division (A) or 82  
(B) of this section is a minor misdemeanor. 83

(3) Disorderly conduct in violation of division (A) or (B) 84  
of this section is a misdemeanor of the fourth degree if any of 85  
the following applies: 86

(a) The offender persists in disorderly conduct after 87  
reasonable warning or request to desist. 88

(b) The offense is committed in the vicinity of a school 89  
or in a school safety zone. 90

(c) The offense is committed in the presence of any law 91  
enforcement officer, firefighter, rescuer, medical person, 92  
emergency medical services person, or other authorized person 93  
who is engaged in the person's duties at the scene of a fire, 94  
accident, disaster, riot, or emergency of any kind. 95

(d) The offense is committed in the presence of any 96  
emergency facility person who is engaged in the person's duties 97  
in an emergency facility. 98

~~(F)~~(4) Disorderly conduct in violation of division (C) (1) 99

<u>of this section is a misdemeanor of the fourth degree.</u>	100
<u>(G) As used in this section:</u>	101
(1) "Emergency medical services person" is the singular of	102
"emergency medical services personnel" as defined in section	103
2133.21 of the Revised Code.	104
(2) "Emergency facility person" is the singular of	105
"emergency facility personnel" as defined in section 2909.04 of	106
the Revised Code.	107
(3) "Emergency facility" has the same meaning as in	108
section 2909.04 of the Revised Code.	109
(4) "Committed in the vicinity of a school" has the same	110
meaning as in section 2925.01 of the Revised Code.	111
<u>(5) "Qualified military member" has the same meaning as in</u>	112
<u>section 2923.11 of the Revised Code.</u>	113
<b>Sec. 2923.11.</b> As used in sections 2923.11 to 2923.24 of	114
the Revised Code:	115
(A) "Deadly weapon" means any instrument, device, or thing	116
capable of inflicting death, and designed or specially adapted	117
for use as a weapon, or possessed, carried, or used as a weapon.	118
(B) (1) "Firearm" means any deadly weapon capable of	119
expelling or propelling one or more projectiles by the action of	120
an explosive or combustible propellant. "Firearm" includes an	121
unloaded firearm, and any firearm that is inoperable but that	122
can readily be rendered operable.	123
(2) When determining whether a firearm is capable of	124
expelling or propelling one or more projectiles by the action of	125
an explosive or combustible propellant, the trier of fact may	126

rely upon circumstantial evidence, including, but not limited 127  
to, the representations and actions of the individual exercising 128  
control over the firearm. 129

(C) "Handgun" means any of the following: 130

(1) Any firearm that has a short stock and is designed to 131  
be held and fired by the use of a single hand; 132

(2) Any combination of parts from which a firearm of a 133  
type described in division (C) (1) of this section can be 134  
assembled. 135

(D) "Semi-automatic firearm" means any firearm designed or 136  
specially adapted to fire a single cartridge and automatically 137  
chamber a succeeding cartridge ready to fire, with a single 138  
function of the trigger. 139

(E) "Automatic firearm" means any firearm designed or 140  
specially adapted to fire a succession of cartridges with a 141  
single function of the trigger. 142

(F) "Sawed-off firearm" means a shotgun with a barrel less 143  
than eighteen inches long, or a rifle with a barrel less than 144  
sixteen inches long, or a shotgun or rifle less than twenty-six 145  
inches long overall. 146

(G) "Zip-gun" means any of the following: 147

(1) Any firearm of crude and extemporized manufacture; 148

(2) Any device, including without limitation a starter's 149  
pistol, that is not designed as a firearm, but that is specially 150  
adapted for use as a firearm; 151

(3) Any industrial tool, signalling device, or safety 152  
device, that is not designed as a firearm, but that as designed 153

is capable of use as such, when possessed, carried, or used as a 154  
firearm. 155

(H) "Explosive device" means any device designed or 156  
specially adapted to cause physical harm to persons or property 157  
by means of an explosion, and consisting of an explosive 158  
substance or agency and a means to detonate it. "Explosive 159  
device" includes without limitation any bomb, any explosive 160  
demolition device, any blasting cap or detonator containing an 161  
explosive charge, and any pressure vessel that has been 162  
knowingly tampered with or arranged so as to explode. 163

(I) "Incendiary device" means any firebomb, and any device 164  
designed or specially adapted to cause physical harm to persons 165  
or property by means of fire, and consisting of an incendiary 166  
substance or agency and a means to ignite it. 167

(J) "Ballistic knife" means a knife with a detachable 168  
blade that is propelled by a spring-operated mechanism. 169

(K) "Dangerous ordnance" means any of the following, 170  
except as provided in division (L) of this section: 171

(1) Any automatic or sawed-off firearm, zip-gun, or 172  
ballistic knife; 173

(2) Any explosive device or incendiary device; 174

(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, 175  
cyclonite, TNT, picric acid, and other high explosives; amatol, 176  
tritonite, tetrytol, pentolite, pecretol, cyclitol, and other 177  
high explosive compositions; plastic explosives; dynamite, 178  
blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, 179  
liquid-oxygen blasting explosives, blasting powder, and other 180  
blasting agents; and any other explosive substance having 181  
sufficient brisance or power to be particularly suitable for use 182

as a military explosive, or for use in mining, quarrying,	183
excavating, or demolitions;	184
(4) Any firearm, rocket launcher, mortar, artillery piece,	185
grenade, mine, bomb, torpedo, or similar weapon, designed and	186
manufactured for military purposes, and the ammunition for that	187
weapon;	188
(5) Any firearm muffler or suppressor;	189
(6) Any combination of parts that is intended by the owner	190
for use in converting any firearm or other device into a	191
dangerous ordnance.	192
(L) "Dangerous ordnance" does not include any of the	193
following:	194
(1) Any firearm, including a military weapon and the	195
ammunition for that weapon, and regardless of its actual age,	196
that employs a percussion cap or other obsolete ignition system,	197
or that is designed and safe for use only with black powder;	198
(2) Any pistol, rifle, or shotgun, designed or suitable	199
for sporting purposes, including a military weapon as issued or	200
as modified, and the ammunition for that weapon, unless the	201
firearm is an automatic or sawed-off firearm;	202
(3) Any cannon or other artillery piece that, regardless	203
of its actual age, is of a type in accepted use prior to 1887,	204
has no mechanical, hydraulic, pneumatic, or other system for	205
absorbing recoil and returning the tube into battery without	206
displacing the carriage, and is designed and safe for use only	207
with black powder;	208
(4) Black powder, priming quills, and percussion caps	209
possessed and lawfully used to fire a cannon of a type defined	210



in division (L) (3) of this section during displays, 211  
celebrations, organized matches or shoots, and target practice, 212  
and smokeless and black powder, primers, and percussion caps 213  
possessed and lawfully used as a propellant or ignition device 214  
in small-arms or small-arms ammunition; 215

(5) Dangerous ordnance that is inoperable or inert and 216  
cannot readily be rendered operable or activated, and that is 217  
kept as a trophy, souvenir, curio, or museum piece. 218

(6) Any device that is expressly excepted from the 219  
definition of a destructive device pursuant to the "Gun Control 220  
Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a) (4), as amended, 221  
and regulations issued under that act. 222

(M) "Explosive" means any chemical compound, mixture, or 223  
device, the primary or common purpose of which is to function by 224  
explosion. "Explosive" includes all materials that have been 225  
classified as division 1.1, division 1.2, division 1.3, or 226  
division 1.4 explosives by the United States department of 227  
transportation in its regulations and includes, but is not 228  
limited to, dynamite, black powder, pellet powders, initiating 229  
explosives, blasting caps, electric blasting caps, safety fuses, 230  
fuse igniters, squibs, cordeau detonant fuses, instantaneous 231  
fuses, and igniter cords and igniters. "Explosive" does not 232  
include "fireworks," as defined in section 3743.01 of the 233  
Revised Code, or any substance or material otherwise meeting the 234  
definition of explosive set forth in this section that is 235  
manufactured, sold, possessed, transported, stored, or used in 236  
any activity described in section 3743.80 of the Revised Code, 237  
provided the activity is conducted in accordance with all 238  
applicable laws, rules, and regulations, including, but not 239  
limited to, the provisions of section 3743.80 of the Revised 240

Code and the rules of the fire marshal adopted pursuant to	241
section 3737.82 of the Revised Code.	242
(N) (1) "Concealed handgun license" or "license to carry a	243
concealed handgun" means, subject to division (N) (2) of this	244
section, a license or temporary emergency license to carry a	245
concealed handgun issued under section 2923.125 or 2923.1213 of	246
the Revised Code or a license to carry a concealed handgun	247
issued by another state with which the attorney general has	248
entered into a reciprocity agreement under section 109.69 of the	249
Revised Code.	250
(2) A reference in any provision of the Revised Code to a	251
concealed handgun license issued under section 2923.125 of the	252
Revised Code or a license to carry a concealed handgun issued	253
under section 2923.125 of the Revised Code means only a license	254
of the type that is specified in that section. A reference in	255
any provision of the Revised Code to a concealed handgun license	256
issued under section 2923.1213 of the Revised Code, a license to	257
carry a concealed handgun issued under section 2923.1213 of the	258
Revised Code, or a license to carry a concealed handgun on a	259
temporary emergency basis means only a license of the type that	260
is specified in section 2923.1213 of the Revised Code. A	261
reference in any provision of the Revised Code to a concealed	262
handgun license issued by another state or a license to carry a	263
concealed handgun issued by another state means only a license	264
issued by another state with which the attorney general has	265
entered into a reciprocity agreement under section 109.69 of the	266
Revised Code.	267
(O) "Valid concealed handgun license" or "valid license to	268
carry a concealed handgun" means a concealed handgun license	269
that is currently valid, that is not under a suspension under	270

division (A) (1) of section 2923.128 of the Revised Code, under 271  
section 2923.1213 of the Revised Code, or under a suspension 272  
provision of the state other than this state in which the 273  
license was issued, and that has not been revoked under division 274  
(B) (1) of section 2923.128 of the Revised Code, under section 275  
2923.1213 of the Revised Code, or under a revocation provision 276  
of the state other than this state in which the license was 277  
issued. 278

(P) "Misdemeanor punishable by imprisonment for a term 279  
exceeding one year" does not include any of the following: 280

(1) Any federal or state offense pertaining to antitrust 281  
violations, unfair trade practices, restraints of trade, or 282  
other similar offenses relating to the regulation of business 283  
practices; 284

(2) Any misdemeanor offense punishable by a term of 285  
imprisonment of two years or less. 286

(Q) "Alien registration number" means the number issued by 287  
the United States citizenship and immigration services agency 288  
that is located on the alien's permanent resident card and may 289  
also be commonly referred to as the "USCIS number" or the "alien 290  
number." 291

(R) "Active duty" has the same meaning as defined in 10 292  
U.S.C. 101. 293

(S) "Qualified military member" means an active duty 294  
member of the armed forces of the United States who is carrying 295  
a valid military identification card and documentation of 296  
successful completion of firearms training that meets or exceeds 297  
the training requirements described in division (G) (1) of 298  
section 2923.125 of the Revised Code. 299

<b>Sec. 2923.12.</b> (A) No person shall knowingly carry or have,	300
concealed on the person's person or concealed ready at hand, any	301
of the following:	302
(1) A deadly weapon other than a handgun;	303
(2) A handgun other than a dangerous ordnance;	304
(3) A dangerous ordnance.	305
(B) No person who has been issued a concealed handgun	306
license shall do any of the following:	307
(1) If the person is stopped for a law enforcement purpose	308
and is carrying a concealed handgun, fail to promptly inform any	309
law enforcement officer who approaches the person after the	310
person has been stopped that the person has been issued a	311
concealed handgun license and that the person then is carrying a	312
concealed handgun;	313
(2) If the person is stopped for a law enforcement purpose	314
and is carrying a concealed handgun, knowingly fail to keep the	315
person's hands in plain sight at any time after any law	316
enforcement officer begins approaching the person while stopped	317
and before the law enforcement officer leaves, unless the	318
failure is pursuant to and in accordance with directions given	319
by a law enforcement officer;	320
(3) If the person is stopped for a law enforcement	321
purpose, if the person is carrying a concealed handgun, and if	322
the person is approached by any law enforcement officer while	323
stopped, knowingly remove or attempt to remove the loaded	324
handgun from the holster, pocket, or other place in which the	325
person is carrying it, knowingly grasp or hold the loaded	326
handgun, or knowingly have contact with the loaded handgun by	327
touching it with the person's hands or fingers at any time after	328

the law enforcement officer begins approaching and before the 329  
law enforcement officer leaves, unless the person removes, 330  
attempts to remove, grasps, holds, or has contact with the 331  
loaded handgun pursuant to and in accordance with directions 332  
given by the law enforcement officer; 333

(4) If the person is stopped for a law enforcement purpose 334  
and is carrying a concealed handgun, knowingly disregard or fail 335  
to comply with any lawful order of any law enforcement officer 336  
given while the person is stopped, including, but not limited 337  
to, a specific order to the person to keep the person's hands in 338  
plain sight. 339

(C) (1) This section does not apply to any of the 340  
following: 341

(a) An officer, agent, or employee of this or any other 342  
state or the United States, or to a law enforcement officer, who 343  
is authorized to carry concealed weapons or dangerous ordnance 344  
or is authorized to carry handguns and is acting within the 345  
scope of the officer's, agent's, or employee's duties; 346

(b) Any person who is employed in this state, who is 347  
authorized to carry concealed weapons or dangerous ordnance or 348  
is authorized to carry handguns, and who is subject to and in 349  
compliance with the requirements of section 109.801 of the 350  
Revised Code, unless the appointing authority of the person has 351  
expressly specified that the exemption provided in division (C) 352  
(1) (b) of this section does not apply to the person; 353

(c) A person's transportation or storage of a firearm, 354  
other than a firearm described in divisions (G) to (M) of 355  
section 2923.11 of the Revised Code, in a motor vehicle for any 356  
lawful purpose if the firearm is not on the actor's person; 357

(d) A person's storage or possession of a firearm, other 358  
than a firearm described in divisions (G) to (M) of section 359  
2923.11 of the Revised Code, in the actor's own home for any 360  
lawful purpose. 361

(2) Division (A)(2) of this section does not apply to any 362  
person who, at the time of the alleged carrying or possession of 363  
a handgun, either is carrying a valid concealed handgun license 364  
or is an active duty member of the armed forces of the United 365  
States and is carrying a valid military identification card and 366  
documentation of successful completion of firearms training that 367  
meets or exceeds the training requirements described in division 368  
(G)(1) of section 2923.125 of the Revised Code, unless the 369  
person knowingly is in a place described in division (B) of 370  
section 2923.126 of the Revised Code. 371

(D) It is an affirmative defense to a charge under 372  
division (A)(1) of this section of carrying or having control of 373  
a weapon other than a handgun and other than a dangerous 374  
ordnance that the actor was not otherwise prohibited by law from 375  
having the weapon and that any of the following applies: 376

(1) The weapon was carried or kept ready at hand by the 377  
actor for defensive purposes while the actor was engaged in or 378  
was going to or from the actor's lawful business or occupation, 379  
which business or occupation was of a character or was 380  
necessarily carried on in a manner or at a time or place as to 381  
render the actor particularly susceptible to criminal attack, 382  
such as would justify a prudent person in going armed. 383

(2) The weapon was carried or kept ready at hand by the 384  
actor for defensive purposes while the actor was engaged in a 385  
lawful activity and had reasonable cause to fear a criminal 386  
attack upon the actor, a member of the actor's family, or the 387

actor's home, such as would justify a prudent person in going 388  
armed. 389

(3) The weapon was carried or kept ready at hand by the 390  
actor for any lawful purpose and while in the actor's own home. 391

(E) No person who is charged with a violation of this 392  
section shall be required to obtain a concealed handgun license 393  
as a condition for the dismissal of the charge. 394

(F) (1) ~~Whoever~~ Except as provided in division (F) (4) of 395  
this section, whoever violates this section is guilty of 396  
carrying concealed weapons. Except as otherwise provided in this 397  
division or divisions (F) (2), ~~(6) (7)~~, and ~~(7) (8)~~ of this 398  
section, carrying concealed weapons in violation of division (A) 399  
of this section is a misdemeanor of the first degree. Except as 400  
otherwise provided in this division or divisions (F) (2), ~~(6) (7)~~, 401  
and ~~(7) (8)~~ of this section, if the offender previously has been 402  
convicted of a violation of this section or of any offense of 403  
violence, if the weapon involved is a firearm that is either 404  
loaded or for which the offender has ammunition ready at hand, 405  
or if the weapon involved is dangerous ordnance, carrying 406  
concealed weapons in violation of division (A) of this section 407  
is a felony of the fourth degree. Except as otherwise provided 408  
in divisions (F) (2) and ~~(6) (7)~~ of this section, if the offense 409  
is committed aboard an aircraft, or with purpose to carry a 410  
concealed weapon aboard an aircraft, regardless of the weapon 411  
involved, carrying concealed weapons in violation of division 412  
(A) of this section is a felony of the third degree. 413

(2) Except as provided in division (F) ~~(6) (7)~~ of this 414  
section, if a person being arrested for a violation of division 415  
(A) (2) of this section promptly produces a valid concealed 416  
handgun license, and if at the time of the violation the person 417

was not knowingly in a place described in division (B) of 418  
section 2923.126 of the Revised Code, the officer shall not 419  
arrest the person for a violation of that division. If the 420  
person is not able to promptly produce any concealed handgun 421  
license and if the person is not in a place described in that 422  
section, the officer may arrest the person for a violation of 423  
that division, and the offender shall be punished as follows: 424

(a) The offender shall be guilty of a minor misdemeanor if 425  
both of the following apply: 426

(i) Within ten days after the arrest, the offender 427  
presents a concealed handgun license, which license was valid at 428  
the time of the arrest to the law enforcement agency that 429  
employs the arresting officer. 430

(ii) At the time of the arrest, the offender was not 431  
knowingly in a place described in division (B) of section 432  
2923.126 of the Revised Code. 433

(b) The offender shall be guilty of a misdemeanor and 434  
shall be fined five hundred dollars if all of the following 435  
apply: 436

(i) The offender previously had been issued a concealed 437  
handgun license, and that license expired within the two years 438  
immediately preceding the arrest. 439

(ii) Within forty-five days after the arrest, the offender 440  
presents a concealed handgun license to the law enforcement 441  
agency that employed the arresting officer, and the offender 442  
waives in writing the offender's right to a speedy trial on the 443  
charge of the violation that is provided in section 2945.71 of 444  
the Revised Code. 445

(iii) At the time of the commission of the offense, the 446



offender was not knowingly in a place described in division (B) 447  
of section 2923.126 of the Revised Code. 448

(c) If divisions (F) (2) (a) and (b) and (F) ~~(6)~~ (7) of this 449  
section do not apply, the offender shall be punished under 450  
division (F) (1) or ~~(7)~~ (8) of this section. 451

(3) Except as otherwise provided in this division, 452  
carrying concealed weapons in violation of division (B) (1) of 453  
this section is a misdemeanor of the first degree, and, in 454  
addition to any other penalty or sanction imposed for a 455  
violation of division (B) (1) of this section, the offender's 456  
concealed handgun license shall be suspended pursuant to 457  
division (A) (2) of section 2923.128 of the Revised Code. If, at 458  
the time of the stop of the offender for a law enforcement 459  
purpose that was the basis of the violation, any law enforcement 460  
officer involved with the stop had actual knowledge that the 461  
offender has been issued a concealed handgun license, carrying 462  
concealed weapons in violation of division (B) (1) of this 463  
section is a minor misdemeanor, and the offender's concealed 464  
handgun license shall not be suspended pursuant to division (A) 465  
(2) of section 2923.128 of the Revised Code. 466

(4) A person who has a valid concealed handgun license or 467  
who is a qualified military member and who is discovered 468  
carrying a concealed handgun onto land or premises in violation 469  
of division (A) (2) of this section is subject to removal from 470  
the premises but is not guilty of carrying concealed weapons, 471  
and no law enforcement officer shall seize or authorize the 472  
seizure of the person's handgun, ammunition, or accessories, 473  
except as permitted under division (G) of this section. If the 474  
person refuses or fails to leave the premises upon being 475  
requested to do so by the individual in control of the premises 476

or by that individual's agent or employee, or returns within 477  
thirty days to the same land or premises while knowingly in 478  
possession of a firearm in violation of this section, the person 479  
is guilty of disorderly conduct, as described in division (C) of 480  
section 2917.11 of the Revised Code. 481

(5) Carrying concealed weapons in violation of division 482  
(B) (2) or (4) of this section is a misdemeanor of the first 483  
degree or, if the offender previously has been convicted of or 484  
pleaded guilty to a violation of division (B) (2) or (4) of this 485  
section, a felony of the fifth degree. In addition to any other 486  
penalty or sanction imposed for a misdemeanor violation of 487  
division (B) (2) or (4) of this section, the offender's concealed 488  
handgun license shall be suspended pursuant to division (A) (2) 489  
of section 2923.128 of the Revised Code. 490

~~(5)~~ (6) Carrying concealed weapons in violation of 491  
division (B) (3) of this section is a felony of the fifth degree. 492

~~(6)~~ (7) If a person being arrested for a violation of 493  
division (A) (2) of this section is an active duty member of the 494  
armed forces of the United States and is carrying a valid 495  
military identification card and documentation of successful 496  
completion of firearms training that meets or exceeds the 497  
training requirements described in division (G) (1) of section 498  
2923.125 of the Revised Code, and if at the time of the 499  
violation the person was not knowingly in a place described in 500  
division (B) of section 2923.126 of the Revised Code, the 501  
officer shall not arrest the person for a violation of that 502  
division. If the person is not able to promptly produce a valid 503  
military identification card and documentation of successful 504  
completion of firearms training that meets or exceeds the 505  
training requirements described in division (G) (1) of section 506

2923.125 of the Revised Code and if the person is not in a place 507  
described in division (B) of section 2923.126 of the Revised 508  
Code, the officer shall issue a citation and the offender shall 509  
be assessed a civil penalty of not more than five hundred 510  
dollars. The citation shall be automatically dismissed and the 511  
civil penalty shall not be assessed if both of the following 512  
apply: 513

(a) Within ten days after the issuance of the citation, 514  
the offender presents a valid military identification card and 515  
documentation of successful completion of firearms training that 516  
meets or exceeds the training requirements described in division 517  
(G) (1) of section 2923.125 of the Revised Code, which were both 518  
valid at the time of the issuance of the citation to the law 519  
enforcement agency that employs the citing officer. 520

(b) At the time of the citation, the offender was not 521  
knowingly in a place described in division (B) of section 522  
2923.126 of the Revised Code. 523

~~(7)~~(8) If a person being arrested for a violation of 524  
division (A) (2) of this section is knowingly in a place 525  
described in division (B) (5) of section 2923.126 of the Revised 526  
Code and is not authorized to carry a handgun or have a handgun 527  
concealed on the person's person or concealed ready at hand 528  
under that division, the penalty shall be as follows: 529

(a) Except as otherwise provided in this division, if the 530  
person produces a valid concealed handgun license within ten 531  
days after the arrest and has not previously been convicted or 532  
pleaded guilty to a violation of division (A) (2) of this 533  
section, the person is guilty of a minor misdemeanor; 534

(b) Except as otherwise provided in this division, if the 535

person has previously been convicted of or pleaded guilty to a 536  
violation of division (A) (2) of this section, the person is 537  
guilty of a misdemeanor of the fourth degree; 538

(c) Except as otherwise provided in this division, if the 539  
person has previously been convicted of or pleaded guilty to two 540  
violations of division (A) (2) of this section, the person is 541  
guilty of a misdemeanor of the third degree; 542

(d) Except as otherwise provided in this division, if the 543  
person has previously been convicted of or pleaded guilty to 544  
three or more violations of division (A) (2) of this section, or 545  
convicted of or pleaded guilty to any offense of violence, if 546  
the weapon involved is a firearm that is either loaded or for 547  
which the offender has ammunition ready at hand, or if the 548  
weapon involved is a dangerous ordnance, the person is guilty of 549  
a misdemeanor of the second degree. 550

(G) If a law enforcement officer stops a person to 551  
question the person regarding a possible violation of this 552  
section, for a traffic stop, or for any other law enforcement 553  
purpose, if the person surrenders a firearm to the officer, 554  
either voluntarily or pursuant to a request or demand of the 555  
officer, and if the officer does not charge the person with a 556  
violation of this section or arrest the person for any offense, 557  
the person is not otherwise prohibited by law from possessing 558  
the firearm, and the firearm is not contraband, the officer 559  
shall return the firearm to the person at the termination of the 560  
stop. If a court orders a law enforcement officer to return a 561  
firearm to a person pursuant to the requirement set forth in 562  
this division, division (B) of section 2923.163 of the Revised 563  
Code applies. 564

**Sec. 2923.121.** (A) No person shall possess a firearm in 565

any room in which any person is consuming beer or intoxicating 566  
liquor in a premises for which a D permit has been issued under 567  
Chapter 4303. of the Revised Code or in an open air arena for 568  
which a permit of that nature has been issued. 569

(B) (1) This section does not apply to any of the 570  
following: 571

(a) An officer, agent, or employee of this or any other 572  
state or the United States, or to a law enforcement officer, who 573  
is authorized to carry firearms and is acting within the scope 574  
of the officer's, agent's, or employee's duties; 575

(b) Any person who is employed in this state, who is 576  
authorized to carry firearms, and who is subject to and in 577  
compliance with the requirements of section 109.801 of the 578  
Revised Code, unless the appointing authority of the person has 579  
expressly specified that the exemption provided in division (B) 580  
(1) (b) of this section does not apply to the person; 581

(c) Any room used for the accommodation of guests of a 582  
hotel, as defined in section 4301.01 of the Revised Code; 583

(d) The principal holder of a D permit issued for a 584  
premises or an open air arena under Chapter 4303. of the Revised 585  
Code while in the premises or open air arena for which the 586  
permit was issued if the principal holder of the D permit also 587  
possesses a valid concealed handgun license and as long as the 588  
principal holder is not consuming beer or intoxicating liquor or 589  
under the influence of alcohol or a drug of abuse, or any agent 590  
or employee of that holder who also is a peace officer, as 591  
defined in section 2151.3515 of the Revised Code, who is off 592  
duty, and who otherwise is authorized to carry firearms while in 593  
the course of the officer's official duties and while in the 594

premises or open air arena for which the permit was issued and 595  
as long as the agent or employee of that holder is not consuming 596  
beer or intoxicating liquor or under the influence of alcohol or 597  
a drug of abuse. 598

(e) Any person who is carrying a valid concealed handgun 599  
license or any person who is an active duty member of the armed 600  
forces of the United States and is carrying a valid military 601  
identification card and documentation of successful completion 602  
of firearms training that meets or exceeds the training 603  
requirements described in division (G) (1) of section 2923.125 of 604  
the Revised Code, as long as the person is not consuming beer or 605  
intoxicating liquor or under the influence of alcohol or a drug 606  
of abuse. 607

(2) This section does not prohibit any person who is a 608  
member of a veteran's organization, as defined in section 609  
2915.01 of the Revised Code, from possessing a rifle in any room 610  
in any premises owned, leased, or otherwise under the control of 611  
the veteran's organization, if the rifle is not loaded with live 612  
ammunition and if the person otherwise is not prohibited by law 613  
from having the rifle. 614

(3) This section does not apply to any person possessing 615  
or displaying firearms in any room used to exhibit unloaded 616  
firearms for sale or trade in a soldiers' memorial established 617  
pursuant to Chapter 345. of the Revised Code, in a convention 618  
center, or in any other public meeting place, if the person is 619  
an exhibitor, trader, purchaser, or seller of firearms and is 620  
not otherwise prohibited by law from possessing, trading, 621  
purchasing, or selling the firearms. 622

(C) It is an affirmative defense to a charge under this 623  
section of illegal possession of a firearm in a liquor permit 624

premises that involves the possession of a firearm other than a handgun, that the actor was not otherwise prohibited by law from having the firearm, and that any of the following apply:

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

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

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

~~(E) Whoever~~ (1) Except as provided in division (E) (2) of this section, whoever violates this section is guilty of illegal possession of a firearm in a liquor permit premises. Except as otherwise provided in this division, illegal possession of a firearm in a liquor permit premises is a felony of the fifth degree. If the offender commits the violation of this section by knowingly carrying or having the firearm concealed on the offender's person or concealed ready at hand, illegal possession of a firearm in a liquor permit premises is a felony of the third degree.

(2) A person who has a valid concealed handgun license or 654  
who is a qualified military member and who is discovered 655  
carrying a concealed handgun onto premises in violation of this 656  
section is subject to removal from the premises but is not 657  
guilty of illegal possession of a firearm in a liquor permit 658  
premises, and no law enforcement officer shall seize or 659  
authorize the seizure of the person's handgun, ammunition, or 660  
accessories, except as permitted under division (G) of section 661  
2923.12 of the Revised Code. If the person refuses or fails to 662  
leave the premises upon being requested to do so by the owner, 663  
lessee, or person in control of the premises or by that 664  
individual's agent or employee, or returns within thirty days to 665  
the same premises while knowingly in possession of a firearm in 666  
violation of this section, the person is guilty of disorderly 667  
conduct, as described in division (C) of section 2917.11 of the 668  
Revised Code. 669

(F) As used in this section, "beer" and "intoxicating 670  
liquor" have the same meanings as in section 4301.01 of the 671  
Revised Code. 672

**Sec. 2923.122.** (A) No person shall knowingly convey, or 673  
attempt to convey, a deadly weapon or dangerous ordnance into a 674  
school safety zone. 675

(B) No person shall knowingly possess a deadly weapon or 676  
dangerous ordnance in a school safety zone. 677

(C) No person shall knowingly possess an object in a 678  
school safety zone if both of the following apply: 679

(1) The object is indistinguishable from a firearm, 680  
whether or not the object is capable of being fired. 681

(2) The person indicates that the person possesses the 682



object and that it is a firearm, or the person knowingly 683  
displays or brandishes the object and indicates that it is a 684  
firearm. 685

(D) (1) This section does not apply to any of the 686  
following: 687

(a) An officer, agent, or employee of this or any other 688  
state or the United States who is authorized to carry deadly 689  
weapons or dangerous ordnance and is acting within the scope of 690  
the officer's, agent's, or employee's duties, a law enforcement 691  
officer who is authorized to carry deadly weapons or dangerous 692  
ordnance, a security officer employed by a board of education or 693  
governing body of a school during the time that the security 694  
officer is on duty pursuant to that contract of employment, or 695  
any other person who has written authorization from the board of 696  
education or governing body of a school to convey deadly weapons 697  
or dangerous ordnance into a school safety zone or to possess a 698  
deadly weapon or dangerous ordnance in a school safety zone and 699  
who conveys or possesses the deadly weapon or dangerous ordnance 700  
in accordance with that authorization; 701

(b) Any person who is employed in this state, who is 702  
authorized to carry deadly weapons or dangerous ordnance, and 703  
who is subject to and in compliance with the requirements of 704  
section 109.801 of the Revised Code, unless the appointing 705  
authority of the person has expressly specified that the 706  
exemption provided in division (D) (1) (b) of this section does 707  
not apply to the person. 708

(2) Division (C) of this section does not apply to 709  
premises upon which home schooling is conducted. Division (C) of 710  
this section also does not apply to a school administrator, 711  
teacher, or employee who possesses an object that is 712

indistinguishable from a firearm for legitimate school purposes 713  
during the course of employment, a student who uses an object 714  
that is indistinguishable from a firearm under the direction of 715  
a school administrator, teacher, or employee, or any other 716  
person who with the express prior approval of a school 717  
administrator possesses an object that is indistinguishable from 718  
a firearm for a legitimate purpose, including the use of the 719  
object in a ceremonial activity, a play, reenactment, or other 720  
dramatic presentation, school safety training, or a ROTC 721  
activity or another similar use of the object. 722

(3) This section does not apply to a person who conveys or 723  
attempts to convey a handgun into, or possesses a handgun in, a 724  
school safety zone if, at the time of that conveyance, attempted 725  
conveyance, or possession of the handgun, all of the following 726  
apply: 727

(a) The person does not enter into a school building or 728  
onto school premises and is not at a school activity. 729

(b) The person is carrying a valid concealed handgun 730  
license or the person is an active duty member of the armed 731  
forces of the United States and is carrying a valid military 732  
identification card and documentation of successful completion 733  
of firearms training that meets or exceeds the training 734  
requirements described in division (G) (1) of section 2923.125 of 735  
the Revised Code. 736

(c) The person is in the school safety zone in accordance 737  
with 18 U.S.C. 922(q) (2) (B). 738

(d) The person is not knowingly in a place described in 739  
division (B) (1) or (B) (3) to (8) of section 2923.126 of the 740  
Revised Code. 741

(4) This section does not apply to a person who conveys or 742  
attempts to convey a handgun into, or possesses a handgun in, a 743  
school safety zone if at the time of that conveyance, attempted 744  
conveyance, or possession of the handgun all of the following 745  
apply: 746

(a) The person is carrying a valid concealed handgun 747  
license or the person is an active duty member of the armed 748  
forces of the United States and is carrying a valid military 749  
identification card and documentation of successful completion 750  
of firearms training that meets or exceeds the training 751  
requirements described in division (G) (1) of section 2923.125 of 752  
the Revised Code. 753

(b) The person leaves the handgun in a motor vehicle. 754

(c) The handgun does not leave the motor vehicle. 755

(d) If the person exits the motor vehicle, the person 756  
locks the motor vehicle. 757

(E) (1) ~~Whoever~~ (a) Except as provided in division (E) (1) 758  
(b) of this section, whoever violates division (A) or (B) of 759  
this section is guilty of illegal conveyance or possession of a 760  
deadly weapon or dangerous ordnance in a school safety zone. 761  
Except as otherwise provided in this division, illegal 762  
conveyance or possession of a deadly weapon or dangerous 763  
ordnance in a school safety zone is a felony of the fifth 764  
degree. If the offender previously has been convicted of a 765  
violation of this section, illegal conveyance or possession of a 766  
deadly weapon or dangerous ordnance in a school safety zone is a 767  
felony of the fourth degree. 768

(b) A person who has a valid concealed handgun license or 769  
who is a qualified military member and who is discovered 770

carrying a concealed handgun in a school safety zone in 771  
violation of division (A) or (B) of this section is subject to 772  
removal from the school safety zone but is not guilty of illegal 773  
conveyance or possession of a deadly weapon or dangerous 774  
ordnance in a school safety zone, and no law enforcement officer 775  
shall seize or authorize the seizure of the person's handgun, 776  
ammunition, or accessories, except as permitted under division 777  
(G) of section 2923.12 of the Revised Code. If the person 778  
refuses or fails to leave the school safety zone upon being 779  
requested to do so by the individual in control of the premises 780  
or by that individual's agent or employee, or returns within 781  
thirty days to the same school safety zone while knowingly in 782  
possession of a firearm in violation of this section, the person 783  
is guilty of disorderly conduct, as described in division (C) of 784  
section 2917.11 of the Revised Code. 785

(2) Whoever violates division (C) of this section is 786  
guilty of illegal possession of an object indistinguishable from 787  
a firearm in a school safety zone. Except as otherwise provided 788  
in this division, illegal possession of an object 789  
indistinguishable from a firearm in a school safety zone is a 790  
misdemeanor of the first degree. If the offender previously has 791  
been convicted of a violation of this section, illegal 792  
possession of an object indistinguishable from a firearm in a 793  
school safety zone is a felony of the fifth degree. 794

(F)(1) In addition to any other penalty imposed upon a 795  
person who is convicted of or pleads guilty to a violation of 796  
this section and subject to division (F)(2) of this section, if 797  
the offender has not attained nineteen years of age, regardless 798  
of whether the offender is attending or is enrolled in a school 799  
operated by a board of education or for which the state board of 800  
education prescribes minimum standards under section 3301.07 of 801

the Revised Code, the court shall impose upon the offender a 802  
class four suspension of the offender's probationary driver's 803  
license, restricted license, driver's license, commercial 804  
driver's license, temporary instruction permit, or probationary 805  
commercial driver's license that then is in effect from the 806  
range specified in division (A)(4) of section 4510.02 of the 807  
Revised Code and shall deny the offender the issuance of any 808  
permit or license of that type during the period of the 809  
suspension. 810

If the offender is not a resident of this state, the court 811  
shall impose a class four suspension of the nonresident 812  
operating privilege of the offender from the range specified in 813  
division (A)(4) of section 4510.02 of the Revised Code. 814

(2) If the offender shows good cause why the court should 815  
not suspend one of the types of licenses, permits, or privileges 816  
specified in division (F)(1) of this section or deny the 817  
issuance of one of the temporary instruction permits specified 818  
in that division, the court in its discretion may choose not to 819  
impose the suspension, revocation, or denial required in that 820  
division, but the court, in its discretion, instead may require 821  
the offender to perform community service for a number of hours 822  
determined by the court. 823

(G) As used in this section, "object that is 824  
indistinguishable from a firearm" means an object made, 825  
constructed, or altered so that, to a reasonable person without 826  
specialized training in firearms, the object appears to be a 827  
firearm. 828

**Sec. 2923.123.** (A) No person shall knowingly convey or 829  
attempt to convey a deadly weapon or dangerous ordnance into a 830  
courthouse or into another building or structure in which a 831

courtroom is located. 832

(B) No person shall knowingly possess or have under the 833  
person's control a deadly weapon or dangerous ordnance in a 834  
courthouse or in another building or structure in which a 835  
courtroom is located. 836

(C) This section does not apply to any of the following: 837

(1) Except as provided in division (E) of this section, a 838  
judge of a court of record of this state or a magistrate; 839

(2) A peace officer, officer of a law enforcement agency, 840  
or person who is in either of the following categories: 841

(a) Except as provided in division (E) of this section, a 842  
peace officer, or an officer of a law enforcement agency of 843  
another state, a political subdivision of another state, or the 844  
United States, who is authorized to carry a deadly weapon or 845  
dangerous ordnance, who possesses or has under that individual's 846  
control a deadly weapon or dangerous ordnance as a requirement 847  
of that individual's duties, and who is acting within the scope 848  
of that individual's duties at the time of that possession or 849  
control; 850

(b) Except as provided in division (E) of this section, a 851  
person who is employed in this state, who is authorized to carry 852  
a deadly weapon or dangerous ordnance, who possesses or has 853  
under that individual's control a deadly weapon or dangerous 854  
ordnance as a requirement of that person's duties, and who is 855  
subject to and in compliance with the requirements of section 856  
109.801 of the Revised Code, unless the appointing authority of 857  
the person has expressly specified that the exemption provided 858  
in division (C) (2) (b) of this section does not apply to the 859  
person. 860

(3) A person who conveys, attempts to convey, possesses, 861  
or has under the person's control a deadly weapon or dangerous 862  
ordnance that is to be used as evidence in a pending criminal or 863  
civil action or proceeding; 864

(4) Except as provided in division (E) of this section, a 865  
bailiff or deputy bailiff of a court of record of this state who 866  
is authorized to carry a firearm pursuant to section 109.77 of 867  
the Revised Code, who possesses or has under that individual's 868  
control a firearm as a requirement of that individual's duties, 869  
and who is acting within the scope of that individual's duties 870  
at the time of that possession or control; 871

(5) Except as provided in division (E) of this section, a 872  
prosecutor, or a secret service officer appointed by a county 873  
prosecuting attorney, who is authorized to carry a deadly weapon 874  
or dangerous ordnance in the performance of the individual's 875  
duties, who possesses or has under that individual's control a 876  
deadly weapon or dangerous ordnance as a requirement of that 877  
individual's duties, and who is acting within the scope of that 878  
individual's duties at the time of that possession or control; 879

(6) Except as provided in division (E) of this section, a 880  
person who conveys or attempts to convey a handgun into a 881  
courthouse or into another building or structure in which a 882  
courtroom is located, who, at the time of the conveyance or 883  
attempt, either is carrying a valid concealed handgun license or 884  
is an active duty member of the armed forces of the United 885  
States and is carrying a valid military identification card and 886  
documentation of successful completion of firearms training that 887  
meets or exceeds the training requirements described in division 888  
(G) (1) of section 2923.125 of the Revised Code, and who 889  
transfers possession of the handgun to the officer or officer's 890

designee who has charge of the courthouse or building. The 891  
officer shall secure the handgun until the licensee is prepared 892  
to leave the premises. The exemption described in this division 893  
applies only if the officer who has charge of the courthouse or 894  
building provides services of the nature described in this 895  
division. An officer who has charge of the courthouse or 896  
building is not required to offer services of the nature 897  
described in this division. 898

(D) (1) ~~Whoever~~ Except as provided in division (D) (3) of 899  
this section, whoever violates division (A) of this section is 900  
guilty of illegal conveyance of a deadly weapon or dangerous 901  
ordnance into a courthouse. Except as otherwise provided in this 902  
division, illegal conveyance of a deadly weapon or dangerous 903  
ordnance into a courthouse is a felony of the fifth degree. If 904  
the offender previously has been convicted of a violation of 905  
division (A) or (B) of this section, illegal conveyance of a 906  
deadly weapon or dangerous ordnance into a courthouse is a 907  
felony of the fourth degree. 908

(2) ~~Whoever~~ Except as provided in division (D) (3) of this 909  
section, whoever violates division (B) of this section is guilty 910  
of illegal possession or control of a deadly weapon or dangerous 911  
ordnance in a courthouse. Except as otherwise provided in this 912  
division, illegal possession or control of a deadly weapon or 913  
dangerous ordnance in a courthouse is a felony of the fifth 914  
degree. If the offender previously has been convicted of a 915  
violation of division (A) or (B) of this section, illegal 916  
possession or control of a deadly weapon or dangerous ordnance 917  
in a courthouse is a felony of the fourth degree. 918

(3) A person who has a valid concealed handgun license or 919  
who is a qualified military member and who is discovered 920



conveying, possessing, or controlling a concealed handgun in 921  
violation of division (A) or (B) of this section is subject to 922  
removal from the premises but is not guilty of illegal 923  
conveyance of a deadly weapon or dangerous ordnance into a 924  
courthouse or of illegal possession or control of a deadly 925  
weapon or dangerous ordnance in a courthouse, as applicable, and 926  
no law enforcement officer shall seize or authorize the seizure 927  
of the person's handgun, ammunition, or accessories, except as 928  
permitted under division (G) of section 2923.12 of the Revised 929  
Code. If the person refuses or fails to leave the premises upon 930  
being requested to do so by the individual in control of the 931  
premises or by that individual's agent or employee, or returns 932  
within thirty days to the same premises while knowingly in 933  
possession of a firearm in violation of this section, the person 934  
is guilty of disorderly conduct, as described in division (C) of 935  
section 2917.11 of the Revised Code. 936

(E) The exemptions described in divisions (C) (1), (2) (a), 937  
(2) (b), (4), (5), and (6) of this section do not apply to any 938  
judge, magistrate, peace officer, officer of a law enforcement 939  
agency, bailiff, deputy bailiff, prosecutor, secret service 940  
officer, or other person described in any of those divisions if 941  
a rule of superintendence or another type of rule adopted by the 942  
supreme court pursuant to Article IV, Ohio Constitution, or an 943  
applicable local rule of court prohibits all persons from 944  
conveying or attempting to convey a deadly weapon or dangerous 945  
ordnance into a courthouse or into another building or structure 946  
in which a courtroom is located or from possessing or having 947  
under one's control a deadly weapon or dangerous ordnance in a 948  
courthouse or in another building or structure in which a 949  
courtroom is located. 950

(F) As used in this section: 951

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

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

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

If a licensee is the driver or an occupant of a motor vehicle that is stopped as the result of a traffic stop or a stop for another law enforcement purpose and if the licensee is transporting or has a loaded handgun in the motor vehicle at that time, the licensee shall promptly inform any law enforcement officer who approaches the vehicle while stopped that the licensee has been issued a concealed handgun license and that the licensee currently possesses or has a loaded handgun; the licensee shall not knowingly disregard or fail to

comply with lawful orders of a law enforcement officer given 982  
while the motor vehicle is stopped, knowingly fail to remain in 983  
the motor vehicle while stopped, or knowingly fail to keep the 984  
licensee's hands in plain sight after any law enforcement 985  
officer begins approaching the licensee while stopped and before 986  
the officer leaves, unless directed otherwise by a law 987  
enforcement officer; and the licensee shall not knowingly have 988  
contact with the loaded handgun by touching it with the 989  
licensee's hands or fingers, in any manner in violation of 990  
division (E) of section 2923.16 of the Revised Code, after any 991  
law enforcement officer begins approaching the licensee while 992  
stopped and before the officer leaves. Additionally, if a 993  
licensee is the driver or an occupant of a commercial motor 994  
vehicle that is stopped by an employee of the motor carrier 995  
enforcement unit for the purposes defined in section 5503.34 of 996  
the Revised Code and if the licensee is transporting or has a 997  
loaded handgun in the commercial motor vehicle at that time, the 998  
licensee shall promptly inform the employee of the unit who 999  
approaches the vehicle while stopped that the licensee has been 1000  
issued a concealed handgun license and that the licensee 1001  
currently possesses or has a loaded handgun. 1002

If a licensee is stopped for a law enforcement purpose and 1003  
if the licensee is carrying a concealed handgun at the time the 1004  
officer approaches, the licensee shall promptly inform any law 1005  
enforcement officer who approaches the licensee while stopped 1006  
that the licensee has been issued a concealed handgun license 1007  
and that the licensee currently is carrying a concealed handgun; 1008  
the licensee shall not knowingly disregard or fail to comply 1009  
with lawful orders of a law enforcement officer given while the 1010  
licensee is stopped or knowingly fail to keep the licensee's 1011  
hands in plain sight after any law enforcement officer begins 1012

approaching the licensee while stopped and before the officer 1013  
leaves, unless directed otherwise by a law enforcement officer; 1014  
and the licensee shall not knowingly remove, attempt to remove, 1015  
grasp, or hold the loaded handgun or knowingly have contact with 1016  
the loaded handgun by touching it with the licensee's hands or 1017  
fingers, in any manner in violation of division (B) of section 1018  
2923.12 of the Revised Code, after any law enforcement officer 1019  
begins approaching the licensee while stopped and before the 1020  
officer leaves. 1021

(B) A valid concealed handgun license does not authorize 1022  
the licensee to carry a concealed handgun in any manner 1023  
prohibited under division (B) of section 2923.12 of the Revised 1024  
Code or in any manner prohibited under section 2923.16 of the 1025  
Revised Code. A valid license does not authorize the licensee to 1026  
carry a concealed handgun into any of the following places: 1027

(1) A police station, sheriff's office, or state highway 1028  
patrol station, premises controlled by the bureau of criminal 1029  
identification and investigation; a state correctional 1030  
institution, jail, workhouse, or other detention facility; any 1031  
area of an airport passenger terminal that is beyond a passenger 1032  
or property screening checkpoint or to which access is 1033  
restricted through security measures by the airport authority or 1034  
a public agency; or an institution that is maintained, operated, 1035  
managed, and governed pursuant to division (A) of section 1036  
5119.14 of the Revised Code or division (A) (1) of section 1037  
5123.03 of the Revised Code; 1038

(2) A school safety zone if the licensee's carrying the 1039  
concealed handgun is in violation of section 2923.122 of the 1040  
Revised Code; 1041

(3) A courthouse or another building or structure in which 1042

a courtroom is located, in violation of section 2923.123 of the Revised Code; 1043  
1044

(4) Any premises or open air arena for which a D permit has been issued under Chapter 4303. of the Revised Code if the licensee's carrying the concealed handgun is in violation of section 2923.121 of the Revised Code; 1045  
1046  
1047  
1048

(5) Any premises owned or leased by any public or private college, university, or other institution of higher education, unless the handgun is in a locked motor vehicle or the licensee is in the immediate process of placing the handgun in a locked motor vehicle or unless the licensee is carrying the concealed handgun pursuant to a written policy, rule, or other authorization that is adopted by the institution's board of trustees or other governing body and that authorizes specific individuals or classes of individuals to carry a concealed handgun on the premises; 1049  
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(6) Any church, synagogue, mosque, or other place of worship, unless the church, synagogue, mosque, or other place of worship posts or permits otherwise; 1059  
1060  
1061

(7) Any building that is a government facility of this state or a political subdivision of this state and that is not a building that is used primarily as a shelter, restroom, parking facility for motor vehicles, or rest facility and is not a courthouse or other building or structure in which a courtroom is located that is subject to division (B)(3) of this section, unless the governing body with authority over the building has enacted a statute, ordinance, or policy that permits a licensee to carry a concealed handgun into the building; 1062  
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(8) A place in which federal law prohibits the carrying of 1071

handguns. 1072

(C) (1) Nothing in this section shall negate or restrict a 1073  
rule, policy, or practice of a private employer that is not a 1074  
private college, university, or other institution of higher 1075  
education concerning or prohibiting the presence of firearms on 1076  
the private employer's premises or property, including motor 1077  
vehicles owned by the private employer. Nothing in this section 1078  
shall require a private employer of that nature to adopt a rule, 1079  
policy, or practice concerning or prohibiting the presence of 1080  
firearms on the private employer's premises or property, 1081  
including motor vehicles owned by the private employer. 1082

(2) (a) A private employer shall be immune from liability 1083  
in a civil action for any injury, death, or loss to person or 1084  
property that allegedly was caused by or related to a licensee 1085  
bringing a handgun onto the premises or property of the private 1086  
employer, including motor vehicles owned by the private 1087  
employer, unless the private employer acted with malicious 1088  
purpose. A private employer is immune from liability in a civil 1089  
action for any injury, death, or loss to person or property that 1090  
allegedly was caused by or related to the private employer's 1091  
decision to permit a licensee to bring, or prohibit a licensee 1092  
from bringing, a handgun onto the premises or property of the 1093  
private employer. 1094

(b) A political subdivision shall be immune from liability 1095  
in a civil action, to the extent and in the manner provided in 1096  
Chapter 2744. of the Revised Code, for any injury, death, or 1097  
loss to person or property that allegedly was caused by or 1098  
related to a licensee bringing a handgun onto any premises or 1099  
property owned, leased, or otherwise under the control of the 1100  
political subdivision. As used in this division, "political 1101

subdivision" has the same meaning as in section 2744.01 of the Revised Code. 1102  
1103

(c) An institution of higher education shall be immune 1104  
from liability in a civil action for any injury, death, or loss 1105  
to person or property that allegedly was caused by or related to 1106  
a licensee bringing a handgun onto the premises of the 1107  
institution, including motor vehicles owned by the institution, 1108  
unless the institution acted with malicious purpose. An 1109  
institution of higher education is immune from liability in a 1110  
civil action for any injury, death, or loss to person or 1111  
property that allegedly was caused by or related to the 1112  
institution's decision to permit a licensee or class of 1113  
licensees to bring a handgun onto the premises of the 1114  
institution. 1115

(3) (a) Except as provided in division (C) (3) (b) of this 1116  
section, the owner or person in control of private land or 1117  
premises, and a private person or entity leasing land or 1118  
premises owned by the state, the United States, or a political 1119  
subdivision of the state or the United States, may post a sign 1120  
in a conspicuous location on that land or on those premises 1121  
prohibiting persons from carrying firearms or concealed firearms 1122  
on or onto that land or those premises. Except as otherwise 1123  
provided in this division or division (C) (3) (c) of this section, 1124  
a person who knowingly violates a posted prohibition of that 1125  
nature is guilty of criminal trespass in violation of division 1126  
(A) (4) of section 2911.21 of the Revised Code and is guilty of a 1127  
misdemeanor of the fourth degree. If a person knowingly violates 1128  
a posted prohibition of that nature and the posted land or 1129  
premises primarily was a parking lot or other parking facility, 1130  
the person is not guilty of criminal trespass under section 1131  
2911.21 of the Revised Code or under any other criminal law of 1132

this state or criminal law, ordinance, or resolution of a 1133  
political subdivision of this state, and instead, except as 1134  
otherwise provided in division (C) (3) (c) of this section, the 1135  
person is subject only to a civil cause of action for trespass 1136  
based on the violation. 1137

~~If~~ Except as provided in division (C) (3) (c) of this 1138  
section, if a person knowingly violates a posted prohibition of 1139  
the nature described in this division and the posted land or 1140  
premises is a child day-care center, type A family day-care 1141  
home, or type B family day-care home, unless the person is a 1142  
licensee who resides in a type A family day-care home or type B 1143  
family day-care home, the person is guilty of aggravated 1144  
trespass in violation of section 2911.211 of the Revised Code. 1145  
Except as otherwise provided in this division, the offender is 1146  
guilty of a misdemeanor of the first degree. If the person 1147  
previously has been convicted of a violation of this division or 1148  
of any offense of violence, if the weapon involved is a firearm 1149  
that is either loaded or for which the offender has ammunition 1150  
ready at hand, or if the weapon involved is dangerous ordnance, 1151  
the offender is guilty of a felony of the fourth degree. 1152

(b) A landlord may not prohibit or restrict a tenant who 1153  
is a licensee and who on or after September 9, 2008, enters into 1154  
a rental agreement with the landlord for the use of residential 1155  
premises, and the tenant's guest while the tenant is present, 1156  
from lawfully carrying or possessing a handgun on those 1157  
residential premises. 1158

(c) A person who has a valid concealed handgun license or 1159  
who is a qualified military member who is discovered carrying a 1160  
concealed handgun onto land or premises in violation of a sign 1161  
posted under division (C) (3) (a) of this section is subject to 1162



removal from the land or premises but is not guilty of criminal 1163  
trespass or aggravated trespass based on the violation, is not 1164  
subject to a civil cause of action for trespass based on the 1165  
violation, and, except as otherwise provided in this division, 1166  
is not guilty of disorderly conduct based on the violation, and 1167  
no law enforcement officer shall seize or authorize the seizure 1168  
of the person's handgun, ammunition, or accessories based on the 1169  
violation, except as permitted under division (G) of section 1170  
2923.12 of the Revised Code. If the person refuses or fails to 1171  
leave the land or premises upon being requested to do so by the 1172  
owner, lessee, or person in control of the land or premises or 1173  
by the individual's agent or employee, or the person returns 1174  
within thirty days to the same land or premises while knowingly 1175  
in possession of a firearm in violation of a sign posted under 1176  
division (C) (3) (a) of this section, the person is guilty of 1177  
disorderly conduct, as described in division (C) of section 1178  
2917.11 of the Revised Code. 1179

(4) As used in division (C) (3) of this section: 1180

~~(i)~~ (a) "Residential premises" has the same meaning as in 1181  
section 5321.01 of the Revised Code, except "residential 1182  
premises" does not include a dwelling unit that is owned or 1183  
operated by a college or university. 1184

~~(ii)~~ (b) "Landlord," "tenant," and "rental agreement" have 1185  
the same meanings as in section 5321.01 of the Revised Code. 1186

(D) A person who holds a valid concealed handgun license 1187  
issued by another state that is recognized by the attorney 1188  
general pursuant to a reciprocity agreement entered into 1189  
pursuant to section 109.69 of the Revised Code or a person who 1190  
holds a valid concealed handgun license under the circumstances 1191  
described in division (B) of section 109.69 of the Revised Code 1192

has the same right to carry a concealed handgun in this state as 1193  
a person who was issued a concealed handgun license under 1194  
section 2923.125 of the Revised Code and is subject to the same 1195  
restrictions that apply to a person who carries a license issued 1196  
under that section. 1197

(E) (1) A peace officer has the same right to carry a 1198  
concealed handgun in this state as a person who was issued a 1199  
concealed handgun license under section 2923.125 of the Revised 1200  
Code. For purposes of reciprocity with other states, a peace 1201  
officer shall be considered to be a licensee in this state. 1202

(2) An active duty member of the armed forces of the 1203  
United States who is carrying a valid military identification 1204  
card and documentation of successful completion of firearms 1205  
training that meets or exceeds the training requirements 1206  
described in division (G) (1) of section 2923.125 of the Revised 1207  
Code has the same right to carry a concealed handgun in this 1208  
state as a person who was issued a concealed handgun license 1209  
under section 2923.125 of the Revised Code and is subject to the 1210  
same restrictions as specified in this section. 1211

(F) (1) A qualified retired peace officer who possesses a 1212  
retired peace officer identification card issued pursuant to 1213  
division (F) (2) of this section and a valid firearms 1214  
requalification certification issued pursuant to division (F) (3) 1215  
of this section has the same right to carry a concealed handgun 1216  
in this state as a person who was issued a concealed handgun 1217  
license under section 2923.125 of the Revised Code and is 1218  
subject to the same restrictions that apply to a person who 1219  
carries a license issued under that section. For purposes of 1220  
reciprocity with other states, a qualified retired peace officer 1221  
who possesses a retired peace officer identification card issued 1222

pursuant to division (F) (2) of this section and a valid firearms 1223  
requalification certification issued pursuant to division (F) (3) 1224  
of this section shall be considered to be a licensee in this 1225  
state. 1226

(2) (a) Each public agency of this state or of a political 1227  
subdivision of this state that is served by one or more peace 1228  
officers shall issue a retired peace officer identification card 1229  
to any person who retired from service as a peace officer with 1230  
that agency, if the issuance is in accordance with the agency's 1231  
policies and procedures and if the person, with respect to the 1232  
person's service with that agency, satisfies all of the 1233  
following: 1234

(i) The person retired in good standing from service as a 1235  
peace officer with the public agency, and the retirement was not 1236  
for reasons of mental instability. 1237

(ii) Before retiring from service as a peace officer with 1238  
that agency, the person was authorized to engage in or supervise 1239  
the prevention, detection, investigation, or prosecution of, or 1240  
the incarceration of any person for, any violation of law and 1241  
the person had statutory powers of arrest. 1242

(iii) At the time of the person's retirement as a peace 1243  
officer with that agency, the person was trained and qualified 1244  
to carry firearms in the performance of the peace officer's 1245  
duties. 1246

(iv) Before retiring from service as a peace officer with 1247  
that agency, the person was regularly employed as a peace 1248  
officer for an aggregate of fifteen years or more, or, in the 1249  
alternative, the person retired from service as a peace officer 1250  
with that agency, after completing any applicable probationary 1251

period of that service, due to a service-connected disability, 1252  
as determined by the agency. 1253

(b) A retired peace officer identification card issued to 1254  
a person under division (F) (2) (a) of this section shall identify 1255  
the person by name, contain a photograph of the person, identify 1256  
the public agency of this state or of the political subdivision 1257  
of this state from which the person retired as a peace officer 1258  
and that is issuing the identification card, and specify that 1259  
the person retired in good standing from service as a peace 1260  
officer with the issuing public agency and satisfies the 1261  
criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 1262  
section. In addition to the required content specified in this 1263  
division, a retired peace officer identification card issued to 1264  
a person under division (F) (2) (a) of this section may include 1265  
the firearms requalification certification described in division 1266  
(F) (3) of this section, and if the identification card includes 1267  
that certification, the identification card shall serve as the 1268  
firearms requalification certification for the retired peace 1269  
officer. If the issuing public agency issues credentials to 1270  
active law enforcement officers who serve the agency, the agency 1271  
may comply with division (F) (2) (a) of this section by issuing 1272  
the same credentials to persons who retired from service as a 1273  
peace officer with the agency and who satisfy the criteria set 1274  
forth in divisions (F) (2) (a) (i) to (iv) of this section, 1275  
provided that the credentials so issued to retired peace 1276  
officers are stamped with the word "RETIRED." 1277

(c) A public agency of this state or of a political 1278  
subdivision of this state may charge persons who retired from 1279  
service as a peace officer with the agency a reasonable fee for 1280  
issuing to the person a retired peace officer identification 1281  
card pursuant to division (F) (2) (a) of this section. 1282

(3) If a person retired from service as a peace officer 1283  
with a public agency of this state or of a political subdivision 1284  
of this state and the person satisfies the criteria set forth in 1285  
divisions (F) (2) (a) (i) to (iv) of this section, the public 1286  
agency may provide the retired peace officer with the 1287  
opportunity to attend a firearms requalification program that is 1288  
approved for purposes of firearms requalification required under 1289  
section 109.801 of the Revised Code. The retired peace officer 1290  
may be required to pay the cost of the course. 1291

If a retired peace officer who satisfies the criteria set 1292  
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 1293  
a firearms requalification program that is approved for purposes 1294  
of firearms requalification required under section 109.801 of 1295  
the Revised Code, the retired peace officer's successful 1296  
completion of the firearms requalification program requalifies 1297  
the retired peace officer for purposes of division (F) of this 1298  
section for five years from the date on which the program was 1299  
successfully completed, and the requalification is valid during 1300  
that five-year period. If a retired peace officer who satisfies 1301  
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 1302  
section satisfactorily completes such a firearms requalification 1303  
program, the retired peace officer shall be issued a firearms 1304  
requalification certification that identifies the retired peace 1305  
officer by name, identifies the entity that taught the program, 1306  
specifies that the retired peace officer successfully completed 1307  
the program, specifies the date on which the course was 1308  
successfully completed, and specifies that the requalification 1309  
is valid for five years from that date of successful completion. 1310  
The firearms requalification certification for a retired peace 1311  
officer may be included in the retired peace officer 1312  
identification card issued to the retired peace officer under 1313

division (F) (2) of this section. 1314

A retired peace officer who attends a firearms 1315  
requalification program that is approved for purposes of 1316  
firearms requalification required under section 109.801 of the 1317  
Revised Code may be required to pay the cost of the program. 1318

(G) As used in this section: 1319

(1) "Qualified retired peace officer" means a person who 1320  
satisfies all of the following: 1321

(a) The person satisfies the criteria set forth in 1322  
divisions (F) (2) (a) (i) to (v) of this section. 1323

(b) The person is not under the influence of alcohol or 1324  
another intoxicating or hallucinatory drug or substance. 1325

(c) The person is not prohibited by federal law from 1326  
receiving firearms. 1327

(2) "Retired peace officer identification card" means an 1328  
identification card that is issued pursuant to division (F) (2) 1329  
of this section to a person who is a retired peace officer. 1330

(3) "Government facility of this state or a political 1331  
subdivision of this state" means any of the following: 1332

(a) A building or part of a building that is owned or 1333  
leased by the government of this state or a political 1334  
subdivision of this state and where employees of the government 1335  
of this state or the political subdivision regularly are present 1336  
for the purpose of performing their official duties as employees 1337  
of the state or political subdivision; 1338

(b) The office of a deputy registrar serving pursuant to 1339  
Chapter 4503. of the Revised Code that is used to perform deputy 1340

registrar functions. 1341

(4) "Governing body" has the same meaning as in section 1342  
154.01 of the Revised Code. 1343

**Sec. 2923.1212.** (A) The following persons, boards, and 1344  
entities, or designees, shall post in the following locations a 1345  
sign that contains a statement in substantially the following 1346  
form: "Unless otherwise authorized by law, pursuant to the Ohio 1347  
Revised Code, no person shall knowingly possess, have under the 1348  
person's control, convey, or attempt to convey a deadly weapon 1349  
or dangerous ordnance onto these premises.": 1350

(1) The director of public safety or the person or board 1351  
charged with the erection, maintenance, or repair of police 1352  
stations, municipal jails, and the municipal courthouse and 1353  
courtrooms in a conspicuous location at all police stations, 1354  
municipal jails, and municipal courthouses and courtrooms; 1355

(2) The sheriff or sheriff's designee who has charge of 1356  
the sheriff's office in a conspicuous location in that office; 1357

(3) The superintendent of the state highway patrol or the 1358  
superintendent's designee in a conspicuous location at all state 1359  
highway patrol stations; 1360

(4) Each sheriff, chief of police, or person in charge of 1361  
every county, multicounty, municipal, municipal-county, or 1362  
multicounty-municipal jail or workhouse, community-based 1363  
correctional facility, halfway house, alternative residential 1364  
facility, or other local or state correctional institution or 1365  
detention facility within the state, or that person's designee, 1366  
in a conspicuous location at that facility under that person's 1367  
charge; 1368

(5) The board of trustees of a regional airport authority, 1369

chief administrative officer of an airport facility, or other 1370  
person in charge of an airport facility in a conspicuous 1371  
location at each ~~airport facility under that person's~~ 1372  
~~control,~~ passenger or property screening checkpoint and wherever 1373  
access is restricted through security measures by the airport 1374  
authority or a public agency; 1375

(6) The officer or officer's designee who has charge of a 1376  
courthouse or the building or structure in which a courtroom is 1377  
located in a conspicuous location in that building or structure; 1378

(7) The superintendent of the bureau of criminal 1379  
identification and investigation or the superintendent's 1380  
designee in a conspicuous location in all premises controlled by 1381  
that bureau; 1382

~~(8) The owner, administrator, or operator of a child day-~~ 1383  
~~care center, a type A family day care home, or a type B family~~ 1384  
~~day care home;~~ 1385

~~(9)~~ The officer of this state or of a political 1386  
subdivision of this state, or the officer's designee, who has 1387  
charge of a building that is a government facility of this state 1388  
or the political subdivision of this state, as defined in 1389  
section 2923.126 of the Revised Code, and that is not a building 1390  
that is used primarily as a shelter, restroom, parking facility 1391  
for motor vehicles, or rest facility and is not a courthouse or 1392  
other building or structure in which a courtroom is located that 1393  
is subject to division (B) (3) of that section, unless the 1394  
governing body with authority over the building has enacted a 1395  
statute, ordinance, or policy that permits a licensee to carry a 1396  
concealed handgun into the building. 1397

(B) The following boards, bodies, and persons, or 1398



designees, shall post in the following locations a sign that 1399  
contains a statement in substantially the following form: 1400  
"Unless otherwise authorized by law, pursuant to Ohio Revised 1401  
Code section 2923.122, no person shall knowingly possess, have 1402  
under the person's control, convey, or attempt to convey a 1403  
deadly weapon or dangerous ordnance into a school safety zone.": 1404

(1) A board of education of a city, local, exempted 1405  
village, or joint vocational school district or that board's 1406  
designee in a conspicuous location in each building and on each 1407  
parcel of real property owned or controlled by the board; 1408

(2) A governing body of a school for which the state board 1409  
of education prescribes minimum standards under section 3301.07 1410  
of the Revised Code or that body's designee in a conspicuous 1411  
location in each building and on each parcel of real property 1412  
owned or controlled by the school; 1413

(3) The principal or chief administrative officer of a 1414  
nonpublic school in a conspicuous location on property owned or 1415  
controlled by that nonpublic school. 1416

**Section 2.** That existing sections 2917.11, 2923.11, 1417  
2923.12, 2923.121, 2923.122, 2923.123, 2923.126, and 2923.1212 1418  
of the Revised Code are hereby repealed. 1419

**Section 3.** This act shall be known as the 1420  
"Decriminalization Effort For Ending Notorious Deaths (DEFEND)." 1421