

As Introduced

132nd General Assembly

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S. B. No. 279

Senators Tavares, Sykes

Cosponsors: Senators Thomas, Skindell, Schiavoni, Williams, Brown

A BILL

To amend sections 2923.125, 2923.13, 2923.14, and 1
2923.25 and to enact section 2923.191 of the 2
Revised Code to prohibit a person from 3
improperly storing or leaving a firearm if the 4
person knows that a minor is able to gain access 5
to the firearm and to provide criminal 6
penalties, including forfeiture of firearms, if 7
a minor gains unauthorized access to an 8
improperly stored firearm. 9

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

Section 1. That sections 2923.125, 2923.13, 2923.14, and 10
2923.25 be amended and section 2923.191 of the Revised Code be 11
enacted to read as follows: 12

Sec. 2923.125. It is the intent of the general assembly 13
that Ohio concealed handgun license law be compliant with the 14
national instant criminal background check system, that the 15
bureau of alcohol, tobacco, firearms, and explosives is able to 16
determine that Ohio law is compliant with the national instant 17
criminal background check system, and that no person shall be 18

eligible to receive a concealed handgun license permit under 19
section 2923.125 or 2923.1213 of the Revised Code unless the 20
person is eligible lawfully to receive or possess a firearm in 21
the United States. 22

(A) This section applies with respect to the application 23
for and issuance by this state of concealed handgun licenses 24
other than concealed handgun licenses on a temporary emergency 25
basis that are issued under section 2923.1213 of the Revised 26
Code. Upon the request of a person who wishes to obtain a 27
concealed handgun license with respect to which this section 28
applies or to renew a concealed handgun license with respect to 29
which this section applies, a sheriff, as provided in division 30
(I) of this section, shall provide to the person free of charge 31
an application form and the web site address at which a 32
printable version of the application form that can be downloaded 33
and the pamphlet described in division (B) of section 109.731 of 34
the Revised Code may be found. A sheriff shall accept a 35
completed application form and the fee, items, materials, and 36
information specified in divisions (B) (1) to (5) of this section 37
at the times and in the manners described in division (I) of 38
this section. 39

(B) An applicant for a concealed handgun license who is a 40
resident of this state shall submit a completed application form 41
and all of the material and information described in divisions 42
(B) (1) to (6) of this section to the sheriff of the county in 43
which the applicant resides or to the sheriff of any county 44
adjacent to the county in which the applicant resides. An 45
applicant for a license who resides in another state shall 46
submit a completed application form and all of the material and 47
information described in divisions (B) (1) to (7) of this section 48
to the sheriff of the county in which the applicant is employed 49

or to the sheriff of any county adjacent to the county in which 50
the applicant is employed: 51

(1) (a) A nonrefundable license fee as described in either 52
of the following: 53

(i) For an applicant who has been a resident of this state 54
for five or more years, a fee of sixty-seven dollars; 55

(ii) For an applicant who has been a resident of this 56
state for less than five years or who is not a resident of this 57
state, but who is employed in this state, a fee of sixty-seven 58
dollars plus the actual cost of having a background check 59
performed by the federal bureau of investigation. 60

(b) No sheriff shall require an applicant to pay for the 61
cost of a background check performed by the bureau of criminal 62
identification and investigation. 63

(c) A sheriff shall waive the payment of the license fee 64
described in division (B) (1) (a) of this section in connection 65
with an initial or renewal application for a license that is 66
submitted by an applicant who is a retired peace officer, a 67
retired person described in division (B) (1) (b) of section 109.77 68
of the Revised Code, or a retired federal law enforcement 69
officer who, prior to retirement, was authorized under federal 70
law to carry a firearm in the course of duty, unless the retired 71
peace officer, person, or federal law enforcement officer 72
retired as the result of a mental disability. 73

(d) The sheriff shall deposit all fees paid by an 74
applicant under division (B) (1) (a) of this section into the 75
sheriff's concealed handgun license issuance fund established 76
pursuant to section 311.42 of the Revised Code. The county shall 77
distribute the fees in accordance with section 311.42 of the 78

Revised Code.	79
(2) A color photograph of the applicant that was taken	80
within thirty days prior to the date of the application;	81
(3) One or more of the following competency	82
certifications, each of which shall reflect that, regarding a	83
certification described in division (B) (3) (a), (b), (c), (e), or	84
(f) of this section, within the three years immediately	85
preceding the application the applicant has performed that to	86
which the competency certification relates and that, regarding a	87
certification described in division (B) (3) (d) of this section,	88
the applicant currently is an active or reserve member of the	89
armed forces of the United States or within the ten years	90
immediately preceding the application the honorable discharge or	91
retirement to which the competency certification relates	92
occurred:	93
(a) An original or photocopy of a certificate of	94
completion of a firearms safety, training, or requalification or	95
firearms safety instructor course, class, or program that was	96
offered by or under the auspices of a national gun advocacy	97
organization and that complies with the requirements set forth	98
in division (G) of this section;	99
(b) An original or photocopy of a certificate of	100
completion of a firearms safety, training, or requalification or	101
firearms safety instructor course, class, or program that	102
satisfies all of the following criteria:	103
(i) It was open to members of the general public.	104
(ii) It utilized qualified instructors who were certified	105
by a national gun advocacy organization, the executive director	106
of the Ohio peace officer training commission pursuant to	107

section 109.75 or 109.78 of the Revised Code, or a governmental official or entity of another state. 108
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(iii) It was offered by or under the auspices of a law enforcement agency of this or another state or the United States, a public or private college, university, or other similar postsecondary educational institution located in this or another state, a firearms training school located in this or another state, or another type of public or private entity or organization located in this or another state. 110
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(iv) It complies with the requirements set forth in division (G) of this section. 117
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(c) An original or photocopy of a certificate of completion of a state, county, municipal, or department of natural resources peace officer training school that is approved by the executive director of the Ohio peace officer training commission pursuant to section 109.75 of the Revised Code and that complies with the requirements set forth in division (G) of this section, or the applicant has satisfactorily completed and been issued a certificate of completion of a basic firearms training program, a firearms requalification training program, or another basic training program described in section 109.78 or 109.801 of the Revised Code that complies with the requirements set forth in division (G) of this section; 119
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(d) A document that evidences both of the following: 131

(i) That the applicant is an active or reserve member of the armed forces of the United States, has retired from or was honorably discharged from military service in the active or reserve armed forces of the United States, is a retired trooper of the state highway patrol, or is a retired peace officer or 132
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federal law enforcement officer described in division (B) (1) of 137
this section or a retired person described in division (B) (1) (b) 138
of section 109.77 of the Revised Code and division (B) (1) of 139
this section; 140

(ii) That, through participation in the military service 141
or through the former employment described in division (B) (3) (d) 142
(i) of this section, the applicant acquired experience with 143
handling handguns or other firearms, and the experience so 144
acquired was equivalent to training that the applicant could 145
have acquired in a course, class, or program described in 146
division (B) (3) (a), (b), or (c) of this section. 147

(e) A certificate or another similar document that 148
evidences satisfactory completion of a firearms training, 149
safety, or requalification or firearms safety instructor course, 150
class, or program that is not otherwise described in division 151
(B) (3) (a), (b), (c), or (d) of this section, that was conducted 152
by an instructor who was certified by an official or entity of 153
the government of this or another state or the United States or 154
by a national gun advocacy organization, and that complies with 155
the requirements set forth in division (G) of this section; 156

(f) An affidavit that attests to the applicant's 157
satisfactory completion of a course, class, or program described 158
in division (B) (3) (a), (b), (c), or (e) of this section and that 159
is subscribed by the applicant's instructor or an authorized 160
representative of the entity that offered the course, class, or 161
program or under whose auspices the course, class, or program 162
was offered; 163

(g) A document that evidences that the applicant has 164
successfully completed the Ohio peace officer training program 165
described in section 109.79 of the Revised Code. 166

(4) A certification by the applicant that the applicant 167
has read the pamphlet prepared by the Ohio peace officer 168
training commission pursuant to section 109.731 of the Revised 169
Code that reviews firearms, dispute resolution, and use of 170
deadly force matters. 171

(5) A set of fingerprints of the applicant provided as 172
described in section 311.41 of the Revised Code through use of 173
an electronic fingerprint reading device or, if the sheriff to 174
whom the application is submitted does not possess and does not 175
have ready access to the use of such a reading device, on a 176
standard impression sheet prescribed pursuant to division (C) (2) 177
of section 109.572 of the Revised Code. 178

(6) If the applicant is not a citizen or national of the 179
United States, the name of the applicant's country of 180
citizenship and the applicant's alien registration number issued 181
by the United States citizenship and immigration services 182
agency. 183

(7) If the applicant resides in another state, adequate 184
proof of employment in Ohio. 185

(C) Upon receipt of the completed application form, 186
supporting documentation, and, if not waived, license fee of an 187
applicant under this section, a sheriff, in the manner specified 188
in section 311.41 of the Revised Code, shall conduct or cause to 189
be conducted the criminal records check and the incompetency 190
records check described in section 311.41 of the Revised Code. 191

(D) (1) Except as provided in division (D) (3) of this 192
section, within forty-five days after a sheriff's receipt of an 193
applicant's completed application form for a concealed handgun 194
license under this section, the supporting documentation, and, 195

if not waived, the license fee, the sheriff shall make available 196
through the law enforcement automated data system in accordance 197
with division (H) of this section the information described in 198
that division and, upon making the information available through 199
the system, shall issue to the applicant a concealed handgun 200
license that shall expire as described in division (D)(2)(a) of 201
this section if all of the following apply: 202

(a) The applicant is legally living in the United States. 203
For purposes of division (D)(1)(a) of this section, if a person 204
is absent from the United States in compliance with military or 205
naval orders as an active or reserve member of the armed forces 206
of the United States and if prior to leaving the United States 207
the person was legally living in the United States, the person, 208
solely by reason of that absence, shall not be considered to 209
have lost the person's status as living in the United States. 210

(b) The applicant is at least twenty-one years of age. 211

(c) The applicant is not a fugitive from justice. 212

(d) The applicant is not under indictment for or otherwise 213
charged with a felony; an offense under Chapter 2925., 3719., or 214
4729. of the Revised Code that involves the illegal possession, 215
use, sale, administration, or distribution of or trafficking in 216
a drug of abuse; a misdemeanor offense of violence; or a 217
violation of section 2903.14 ~~or~~, 2923.1211, or 2923.191 of the 218
Revised Code. 219

(e) Except as otherwise provided in division (D)(4) or (5) 220
of this section, the applicant has not been convicted of or 221
pleaded guilty to a felony or an offense under Chapter 2925., 222
3719., or 4729. of the Revised Code that involves the illegal 223
possession, use, sale, administration, or distribution of or 224

trafficking in a drug of abuse; has not been adjudicated a 225
delinquent child for committing an act that if committed by an 226
adult would be a felony or would be an offense under Chapter 227
2925., 3719., or 4729. of the Revised Code that involves the 228
illegal possession, use, sale, administration, or distribution 229
of or trafficking in a drug of abuse; has not been convicted of, 230
pleaded guilty to, or adjudicated a delinquent child for 231
committing a violation of section 2903.13 of the Revised Code 232
when the victim of the violation is a peace officer, regardless 233
of whether the applicant was sentenced under division (C) (4) of 234
that section; and has not been convicted of, pleaded guilty to, 235
or adjudicated a delinquent child for committing any other 236
offense that is not previously described in this division that 237
is a misdemeanor punishable by imprisonment for a term exceeding 238
one year. 239

(f) Except as otherwise provided in division (D) (4) or (5) 240
of this section, the applicant, within three years of the date 241
of the application, has not been convicted of or pleaded guilty 242
to a misdemeanor offense of violence other than a misdemeanor 243
violation of section 2921.33 of the Revised Code or a violation 244
of section 2903.13 of the Revised Code when the victim of the 245
violation is a peace officer, or a misdemeanor violation of 246
section 2923.1211 of the Revised Code; and has not been 247
adjudicated a delinquent child for committing an act that if 248
committed by an adult would be a misdemeanor offense of violence 249
other than a misdemeanor violation of section 2921.33 of the 250
Revised Code or a violation of section 2903.13 of the Revised 251
Code when the victim of the violation is a peace officer or for 252
committing an act that if committed by an adult would be a 253
misdemeanor violation of section 2923.1211 of the Revised Code. 254

(g) Except as otherwise provided in division (D) (1) (e) of 255

this section, the applicant, within five years of the date of 256
the application, has not been convicted of, pleaded guilty to, 257
or adjudicated a delinquent child for committing two or more 258
violations of section 2903.13 or 2903.14 of the Revised Code. 259

(h) Except as otherwise provided in division (D)(4) or (5) 260
of this section, the applicant, within ten years of the date of 261
the application, has not been convicted of, pleaded guilty to, 262
or adjudicated a delinquent child for committing a violation of 263
section 2921.33 of the Revised Code. 264

(i) The applicant has not been adjudicated as a mental 265
defective, has not been committed to any mental institution, is 266
not under adjudication of mental incompetence, has not been 267
found by a court to be a mentally ill person subject to court 268
order, and is not an involuntary patient other than one who is a 269
patient only for purposes of observation. As used in this 270
division, "mentally ill person subject to court order" and 271
"patient" have the same meanings as in section 5122.01 of the 272
Revised Code. 273

(j) The applicant is not currently subject to a civil 274
protection order, a temporary protection order, or a protection 275
order issued by a court of another state. 276

(k) The applicant certifies that the applicant desires a 277
legal means to carry a concealed handgun for defense of the 278
applicant or a member of the applicant's family while engaged in 279
lawful activity. 280

(l) The applicant submits a competency certification of 281
the type described in division (B)(3) of this section and 282
submits a certification of the type described in division (B)(4) 283
of this section regarding the applicant's reading of the 284

pamphlet prepared by the Ohio peace officer training commission	285
pursuant to section 109.731 of the Revised Code.	286
(m) The applicant currently is not subject to a suspension	287
imposed under division (A) (2) of section 2923.128 of the Revised	288
Code of a concealed handgun license that previously was issued	289
to the applicant under this section or section 2923.1213 of the	290
Revised Code or a similar suspension imposed by another state	291
regarding a concealed handgun license issued by that state.	292
(n) If the applicant resides in another state, the	293
applicant is employed in this state.	294
(o) The applicant certifies that the applicant is not an	295
unlawful user of or addicted to any controlled substance as	296
defined in 21 U.S.C. 802.	297
(p) If the applicant is not a United States citizen, the	298
applicant is an alien and has not been admitted to the United	299
States under a nonimmigrant visa, as defined in the "Immigration	300
and Nationality Act," 8 U.S.C. 1101(a) (26) .	301
(q) The applicant has not been discharged from the armed	302
forces of the United States under dishonorable conditions.	303
(r) The applicant certifies that the applicant has not	304
renounced the applicant's United States citizenship, if	305
applicable.	306
(s) The applicant has not been convicted of, pleaded	307
guilty to, or adjudicated a delinquent child for committing a	308
violation of section 2919.25 of the Revised Code or a similar	309
violation in another state.	310
(2) (a) A concealed handgun license that a sheriff issues	311
under division (D) (1) of this section shall expire five years	312

after the date of issuance. 313

If a sheriff issues a license under this section, the 314
sheriff shall place on the license a unique combination of 315
letters and numbers identifying the license in accordance with 316
the procedure prescribed by the Ohio peace officer training 317
commission pursuant to section 109.731 of the Revised Code. 318

(b) If a sheriff denies an application under this section 319
because the applicant does not satisfy the criteria described in 320
division (D)(1) of this section, the sheriff shall specify the 321
grounds for the denial in a written notice to the applicant. The 322
applicant may appeal the denial pursuant to section 119.12 of 323
the Revised Code in the county served by the sheriff who denied 324
the application. If the denial was as a result of the criminal 325
records check conducted pursuant to section 311.41 of the 326
Revised Code and if, pursuant to section 2923.127 of the Revised 327
Code, the applicant challenges the criminal records check 328
results using the appropriate challenge and review procedure 329
specified in that section, the time for filing the appeal 330
pursuant to section 119.12 of the Revised Code and this division 331
is tolled during the pendency of the request or the challenge 332
and review. 333

(c) If the court in an appeal under section 119.12 of the 334
Revised Code and division (D)(2)(b) of this section enters a 335
judgment sustaining the sheriff's refusal to grant to the 336
applicant a concealed handgun license, the applicant may file a 337
new application beginning one year after the judgment is 338
entered. If the court enters a judgment in favor of the 339
applicant, that judgment shall not restrict the authority of a 340
sheriff to suspend or revoke the license pursuant to section 341
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 342

the license for any proper cause that may occur after the date 343
the judgment is entered. In the appeal, the court shall have 344
full power to dispose of all costs. 345

(3) If the sheriff with whom an application for a 346
concealed handgun license was filed under this section becomes 347
aware that the applicant has been arrested for or otherwise 348
charged with an offense that would disqualify the applicant from 349
holding the license, the sheriff shall suspend the processing of 350
the application until the disposition of the case arising from 351
the arrest or charge. 352

(4) If an applicant has been convicted of or pleaded 353
guilty to an offense identified in division (D) (1) (e), (f), or 354
(h) of this section or has been adjudicated a delinquent child 355
for committing an act or violation identified in any of those 356
divisions, and if a court has ordered the sealing or expungement 357
of the records of that conviction, guilty plea, or adjudication 358
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 359
2953.36, or section 2953.37 of the Revised Code or the applicant 360
has been relieved under operation of law or legal process from 361
the disability imposed pursuant to section 2923.13 of the 362
Revised Code relative to that conviction, guilty plea, or 363
adjudication, the sheriff with whom the application was 364
submitted shall not consider the conviction, guilty plea, or 365
adjudication in making a determination under division (D) (1) or 366
(F) of this section or, in relation to an application for a 367
concealed handgun license on a temporary emergency basis 368
submitted under section 2923.1213 of the Revised Code, in making 369
a determination under division (B) (2) of that section. 370

(5) If an applicant has been convicted of or pleaded 371
guilty to a minor misdemeanor offense or has been adjudicated a 372

delinquent child for committing an act or violation that is a 373
minor misdemeanor offense, the sheriff with whom the application 374
was submitted shall not consider the conviction, guilty plea, or 375
adjudication in making a determination under division (D) (1) or 376
(F) of this section or, in relation to an application for a 377
concealed handgun license on a temporary basis submitted under 378
section 2923.1213 of the Revised Code, in making a determination 379
under division (B) (2) of that section. 380

(E) If a concealed handgun license issued under this 381
section is lost or is destroyed, the licensee may obtain from 382
the sheriff who issued that license a duplicate license upon the 383
payment of a fee of fifteen dollars and the submission of an 384
affidavit attesting to the loss or destruction of the license. 385
The sheriff, in accordance with the procedures prescribed in 386
section 109.731 of the Revised Code, shall place on the 387
replacement license a combination of identifying numbers 388
different from the combination on the license that is being 389
replaced. 390

(F) (1) (a) Except as provided in division (F) (1) (b) of this 391
section, a licensee who wishes to renew a concealed handgun 392
license issued under this section shall do so not earlier than 393
ninety days before the expiration date of the license or at any 394
time after the expiration date of the license by filing with the 395
sheriff of the county in which the applicant resides or with the 396
sheriff of an adjacent county, or in the case of ~~a~~ an applicant 397
who resides in another state with the sheriff of the county that 398
issued the applicant's previous concealed handgun license an 399
application for renewal of the license obtained pursuant to 400
division (D) of this section, a certification by the applicant 401
that, subsequent to the issuance of the license, the applicant 402
has reread the pamphlet prepared by the Ohio peace officer 403

training commission pursuant to section 109.731 of the Revised 404
Code that reviews firearms, dispute resolution, and use of 405
deadly force matters, and a nonrefundable license renewal fee in 406
an amount determined pursuant to division (F)(4) of this section 407
unless the fee is waived. 408

(b) A person on active duty in the armed forces of the 409
United States or in service with the peace corps, volunteers in 410
service to America, or the foreign service of the United States 411
is exempt from the license requirements of this section for the 412
period of the person's active duty or service and for six months 413
thereafter, provided the person was a licensee under this 414
section at the time the person commenced the person's active 415
duty or service or had obtained a license while on active duty 416
or service. The spouse or a dependent of any such person on 417
active duty or in service also is exempt from the license 418
requirements of this section for the period of the person's 419
active duty or service and for six months thereafter, provided 420
the spouse or dependent was a licensee under this section at the 421
time the person commenced the active duty or service or had 422
obtained a license while the person was on active duty or 423
service, and provided further that the person's active duty or 424
service resulted in the spouse or dependent relocating outside 425
of this state during the period of the active duty or service. 426
This division does not prevent such a person or the person's 427
spouse or dependent from making an application for the renewal 428
of a concealed handgun license during the period of the person's 429
active duty or service. 430

(2) A sheriff shall accept a completed renewal 431
application, the license renewal fee, and the information 432
specified in division (F)(1) of this section at the times and in 433
the manners described in division (I) of this section. Upon 434

receipt of a completed renewal application, of certification 435
that the applicant has reread the specified pamphlet prepared by 436
the Ohio peace officer training commission, and of a license 437
renewal fee unless the fee is waived, a sheriff, in the manner 438
specified in section 311.41 of the Revised Code shall conduct or 439
cause to be conducted the criminal records check and the 440
incompetency records check described in section 311.41 of the 441
Revised Code. The sheriff shall renew the license if the sheriff 442
determines that the applicant continues to satisfy the 443
requirements described in division (D) (1) of this section, 444
except that the applicant is not required to meet the 445
requirements of division (D) (1) (1) of this section. A renewed 446
license shall expire five years after the date of issuance. A 447
renewed license is subject to division (E) of this section and 448
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 449
shall comply with divisions (D) (2) and (3) of this section when 450
the circumstances described in those divisions apply to a 451
requested license renewal. If a sheriff denies the renewal of a 452
concealed handgun license, the applicant may appeal the denial, 453
or challenge the criminal record check results that were the 454
basis of the denial if applicable, in the same manner as 455
specified in division (D) (2) (b) of this section and in section 456
2923.127 of the Revised Code, regarding the denial of a license 457
under this section. 458

(3) A renewal application submitted pursuant to division 459
(F) of this section shall only require the licensee to list on 460
the application form information and matters occurring since the 461
date of the licensee's last application for a license pursuant 462
to division (B) or (F) of this section. A sheriff conducting the 463
criminal records check and the incompetency records check 464
described in section 311.41 of the Revised Code shall conduct 465

the check only from the date of the licensee's last application 466
for a license pursuant to division (B) or (F) of this section 467
through the date of the renewal application submitted pursuant 468
to division (F) of this section. 469

(4) An applicant for a renewal concealed handgun license 470
under this section shall submit to the sheriff of the county in 471
which the applicant resides or to the sheriff of any county 472
adjacent to the county in which the applicant resides, or in the 473
case of an applicant who resides in another state to the sheriff 474
of the county that issued the applicant's previous concealed 475
handgun license, a nonrefundable license fee as described in 476
either of the following: 477

(a) For an applicant who has been a resident of this state 478
for five or more years, a fee of fifty dollars; 479

(b) For an applicant who has been a resident of this state 480
for less than five years or who is not a resident of this state 481
but who is employed in this state, a fee of fifty dollars plus 482
the actual cost of having a background check performed by the 483
federal bureau of investigation. 484

(5) The concealed handgun license of a licensee who is no 485
longer a resident of this state or no longer employed in this 486
state, as applicable, is valid until the date of expiration on 487
the license, and the licensee is prohibited from renewing the 488
concealed handgun license. 489

(G)(1) Each course, class, or program described in 490
division (B)(3)(a), (b), (c), or (e) of this section shall 491
provide to each person who takes the course, class, or program 492
the web site address at which the pamphlet prepared by the Ohio 493
peace officer training commission pursuant to section 109.731 of 494

the Revised Code that reviews firearms, dispute resolution, and 495
use of deadly force matters may be found. Each such course, 496
class, or program described in one of those divisions shall 497
include at least eight hours of training in the safe handling 498
and use of a firearm that shall include training, provided as 499
described in division (G) (3) of this section, on all of the 500
following: 501

(a) The ability to name, explain, and demonstrate the 502
rules for safe handling of a handgun and proper storage 503
practices for handguns and ammunition; 504

(b) The ability to demonstrate and explain how to handle 505
ammunition in a safe manner; 506

(c) The ability to demonstrate the knowledge, skills, and 507
attitude necessary to shoot a handgun in a safe manner; 508

(d) Gun handling training; 509

(e) A minimum of two hours of in-person training that 510
consists of range time and live-fire training. 511

(2) To satisfactorily complete the course, class, or 512
program described in division (B) (3) (a), (b), (c), or (e) of 513
this section, the applicant shall pass a competency examination 514
that shall include both of the following: 515

(a) A written section, provided as described in division 516
(G) (3) of this section, on the ability to name and explain the 517
rules for the safe handling of a handgun and proper storage 518
practices for handguns and ammunition; 519

(b) An in-person physical demonstration of competence in 520
the use of a handgun and in the rules for safe handling and 521
storage of a handgun and a physical demonstration of the 522

attitude necessary to shoot a handgun in a safe manner. 523

(3) (a) Except as otherwise provided in this division, the 524
training specified in division (G) (1) (a) of this section shall 525
be provided to the person receiving the training in person by an 526
instructor. If the training specified in division (G) (1) (a) of 527
this section is provided by a course, class, or program 528
described in division (B) (3) (a) of this section, or it is 529
provided by a course, class, or program described in division 530
(B) (3) (b), (c), or (e) of this section and the instructor is a 531
qualified instructor certified by a national gun advocacy 532
organization, the training so specified, other than the training 533
that requires the person receiving the training to demonstrate 534
handling abilities, may be provided online or as a combination 535
of in-person and online training, as long as the online training 536
includes an interactive component that regularly engages the 537
person. 538

(b) Except as otherwise provided in this division, the 539
written section of the competency examination specified in 540
division (G) (2) (a) of this section shall be administered to the 541
person taking the competency examination in person by an 542
instructor. If the training specified in division (G) (1) (a) of 543
this section is provided to the person receiving the training by 544
a course, class, or program described in division (B) (3) (a) of 545
this section, or it is provided by a course, class, or program 546
described in division (B) (3) (b), (c), or (e) of this section and 547
the instructor is a qualified instructor certified by a national 548
gun advocacy organization, the written section of the competency 549
examination specified in division (G) (2) (a) of this section may 550
be administered online, as long as the online training includes 551
an interactive component that regularly engages the person. 552

(4) The competency certification described in division (B) 553
(3) (a), (b), (c), or (e) of this section shall be dated and 554
shall attest that the course, class, or program the applicant 555
successfully completed met the requirements described in 556
division (G) (1) of this section and that the applicant passed 557
the competency examination described in division (G) (2) of this 558
section. 559

(H) Upon deciding to issue a concealed handgun license, 560
deciding to issue a replacement concealed handgun license, or 561
deciding to renew a concealed handgun license pursuant to this 562
section, and before actually issuing or renewing the license, 563
the sheriff shall make available through the law enforcement 564
automated data system all information contained on the license. 565
If the license subsequently is suspended under division (A) (1) 566
or (2) of section 2923.128 of the Revised Code, revoked pursuant 567
to division (B) (1) of section 2923.128 of the Revised Code, or 568
lost or destroyed, the sheriff also shall make available through 569
the law enforcement automated data system a notation of that 570
fact. The superintendent of the state highway patrol shall 571
ensure that the law enforcement automated data system is so 572
configured as to permit the transmission through the system of 573
the information specified in this division. 574

(I) A sheriff shall accept a completed application form or 575
renewal application, and the fee, items, materials, and 576
information specified in divisions (B) (1) to (5) or division (F) 577
of this section, whichever is applicable, and shall provide an 578
application form or renewal application to any person during at 579
least fifteen hours a week and shall provide the web site 580
address at which a printable version of the application form 581
that can be downloaded and the pamphlet described in division 582
(B) of section 109.731 of the Revised Code may be found at any 583

time, upon request. The sheriff shall post notice of the hours 584
during which the sheriff is available to accept or provide the 585
information described in this division. 586

Sec. 2923.13. (A) Unless relieved from disability under 587
operation of law or legal process, no person shall knowingly 588
acquire, have, carry, or use any firearm or dangerous ordnance, 589
if any of the following apply: 590

(1) The person is a fugitive from justice. 591

(2) The person is under indictment for or has been 592
convicted of any felony offense of violence or has been 593
adjudicated a delinquent child for the commission of an offense 594
that, if committed by an adult, would have been a felony offense 595
of violence. 596

(3) The person is under indictment for or has been 597
convicted of any felony offense involving the illegal 598
possession, use, sale, administration, distribution, or 599
trafficking in any drug of abuse or has been adjudicated a 600
delinquent child for the commission of an offense that, if 601
committed by an adult, would have been a felony offense 602
involving the illegal possession, use, sale, administration, 603
distribution, or trafficking in any drug of abuse. 604

(4) The person is under indictment for or has been 605
convicted of criminally negligent storage of a firearm in 606
violation of section 2923.191 of the Revised Code. 607

(5) The person is drug dependent, in danger of drug 608
dependence, or a chronic alcoholic. 609

~~(5)~~ (6) The person is under adjudication of mental 610
incompetence, has been adjudicated as a mental defective, has 611
been committed to a mental institution, has been found by a 612

court to be a mentally ill person subject to court order, or is 613
an involuntary patient other than one who is a patient only for 614
purposes of observation. As used in this division, "mentally ill 615
person subject to court order" and "patient" have the same 616
meanings as in section 5122.01 of the Revised Code. 617

(B) Whoever violates this section is guilty of having 618
weapons while under disability, a felony of the third degree. 619

(C) For the purposes of this section, "under operation of 620
law or legal process" shall not itself include mere completion, 621
termination, or expiration of a sentence imposed as a result of 622
a criminal conviction. 623

Sec. 2923.14. (A) (1) Except as otherwise provided in 624
division (A) (2) of this section, any person who is prohibited 625
from acquiring, having, carrying, or using firearms may apply to 626
the court of common pleas in the county in which the person 627
resides for relief from such prohibition. 628

(2) Division (A) (1) of this section does not apply to a 629
person who has been convicted of or pleaded guilty to a 630
violation of section 2923.132 of the Revised Code or to a person 631
who, two or more times, has been convicted of or pleaded guilty 632
to a felony and a specification of the type described in section 633
2941.141, 2941.144, 2941.145, 2941.146, 2941.1412, or 2941.1424 634
of the Revised Code. 635

(B) The application shall recite the following: 636

(1) All indictments, convictions, or adjudications upon 637
which the applicant's disability is based, the sentence imposed 638
and served, and any release granted under a community control 639
sanction, post-release control sanction, or parole, any partial 640
or conditional pardon granted, or other disposition of each 641

case, or, if the disability is based upon a factor other than an indictment, a conviction, or an adjudication, the factor upon which the disability is based and all details related to that factor;

(2) Facts showing the applicant to be a fit subject for relief under this section.

(C) A copy of the application shall be served on the county prosecutor. The county prosecutor shall cause the matter to be investigated and shall raise before the court any objections to granting relief that the investigation reveals.

(D) Upon hearing, the court may grant the applicant relief pursuant to this section, if all of the following apply:

(1) One of the following applies:

(a) If the disability is based upon an indictment, a conviction, or an adjudication, the applicant has been fully discharged from imprisonment, community control, post-release control, and parole, or, if the applicant is under indictment, has been released on bail or recognizance.

(b) If the disability is based upon a factor other than an indictment, a conviction, or an adjudication, that factor no longer is applicable to the applicant.

(2) The applicant has led a law-abiding life since discharge or release, and appears likely to continue to do so.

(3) The applicant is not otherwise prohibited by law from acquiring, having, or using firearms.

(E) Costs of the proceeding shall be charged as in other civil cases, and taxed to the applicant.

(F) Relief from disability granted pursuant to this 669
section restores the applicant to all civil firearm rights to 670
the full extent enjoyed by any citizen, and is subject to the 671
following conditions: 672

(1) Applies only with respect to indictments, convictions, 673
or adjudications, or to the other factor, recited in the 674
application as the basis for the applicant's disability; 675

(2) Applies only with respect to firearms lawfully 676
acquired, possessed, carried, or used by the applicant; 677

(3) May be revoked by the court at any time for good cause 678
shown and upon notice to the applicant; 679

(4) Is automatically void upon commission by the applicant 680
of any offense set forth in division (A) (2) ~~or, (3), or (4)~~ of 681
section 2923.13 of the Revised Code, or upon the applicant's 682
becoming one of the class of persons named in division (A) (1), 683
~~(4) (5), or (5) (6)~~ of that section. 684

(G) As used in this section: 685

(1) "Community control sanction" has the same meaning as 686
in section 2929.01 of the Revised Code. 687

(2) "Post-release control" and "post-release control 688
sanction" have the same meanings as in section 2967.01 of the 689
Revised Code. 690

Sec. 2923.191. (A) (1) No person shall store or leave a 691
firearm in a manner or location, other than as described in 692
division (A) (2) of this section, where the person knows or 693
reasonably should know that a minor is able to gain access to 694
the firearm. 695

(2) (a) This section does not apply to a person who stores 696

or leaves a firearm in a locked container that can only be 697
unlocked with a key or combination, or that is secured with a 698
trigger lock while not carried or under the immediate possession 699
or control of the owner. 700

(b) This section does not apply to a person who stores or 701
leaves a firearm in any location if a minor gains access to the 702
firearm as a result of any person's unlawful entry into that 703
location. 704

(B) (1) Whoever violates this section is guilty of 705
criminally negligent storage of a firearm, regardless of whether 706
the firearm is loaded or unloaded where it is stored. 707

(2) Except as provided in divisions (B) (3) and (4) of this 708
section, a violation of this section is a misdemeanor of the 709
third degree. 710

(3) Except as provided in division (B) (4) of this section, 711
if a minor gains access to the firearm as a result of the 712
violation without the lawful permission of the minor's parent, 713
guardian, or custodian, a violation of this section is a 714
misdemeanor of the first degree. 715

(4) If a minor gains access to the firearm as a result of 716
the violation without the lawful permission of the minor's 717
parent, guardian, or custodian and uses the firearm to cause 718
personal injury or death, other than in self-defense, a 719
violation of this section is a felony of the third degree. 720

(C) (1) Upon indictment for a violation of this section, a 721
person charged with violating this section shall forfeit all 722
firearms in the person's possession to the state or a political 723
subdivision pursuant to Chapter 2981. of the Revised Code. 724

(2) Unless relieved from disability under section 2923.14 725

of the Revised Code, a person indicted for or convicted of a 726
violation of this section is prohibited from acquiring, having, 727
carrying, or using any firearm or dangerous ordnance under 728
section 2923.13 of the Revised Code. 729

(D) Nothing in this section prohibits a person from 730
carrying a firearm on the person's person or placing a firearm 731
in a location that is under the person's immediate control. 732

Sec. 2923.25. (A) Each federally licensed firearms dealer 733
who sells any firearm, at the time of the sale of the firearm, 734
shall offer for sale to the purchaser of the firearm a trigger 735
lock, gun lock, or gun locking device that is appropriate for 736
that firearm. Each federally licensed firearms dealer shall post 737
in a conspicuous location in the dealer's place of business the 738
poster furnished to the dealer pursuant to section 5502.63 of 739
the Revised Code and shall make available to all purchasers of 740
firearms from the dealer the brochure furnished to the dealer 741
pursuant to that section. 742

(B) Each federally licensed firearms dealer who sells any 743
firearm shall inform the purchaser at the time of sale that it 744
is a violation of state law under section 2923.191 of the 745
Revised Code to improperly store a firearm in a manner or 746
location accessible to a minor. The firearms dealer shall inform 747
the purchaser of the method of storage prescribed by that 748
section. 749

(C) As used in this section, "federally licensed firearms 750
dealer" has the same meaning as in section 5502.63 of the 751
Revised Code. 752

Section 2. That existing sections 2923.125, 2923.13, 753
2923.14, and 2923.25 of the Revised Code are hereby repealed. 754

Section 3. Section 2923.125 of the Revised Code is 755
presented in this act as a composite of the section as amended 756
by both Am. Sub. H.B. 234 and Am. Sub. S.B. 43 of the 130th 757
General Assembly. The General Assembly, applying the principle 758
stated in division (B) of section 1.52 of the Revised Code that 759
amendments are to be harmonized if reasonably capable of 760
simultaneous operation, finds that the composite is the 761
resulting version of the section in effect prior to the 762
effective date of the section as presented in this act. 763

Section 2923.13 of the Revised Code is presented in this 764
act as a composite of the section as amended by both Am. Sub. 765
H.B. 234 and Am. Sub. S.B. 43 of the 130th General Assembly. The 766
General Assembly, applying the principle stated in division (B) 767
of section 1.52 of the Revised Code that amendments are to be 768
harmonized if reasonably capable of simultaneous operation, 769
finds that the composite is the resulting version of the section 770
in effect prior to the effective date of the section as 771
presented in this act. 772