

As Introduced

136th General Assembly

Regular Session

2025-2026

S. B. No. 236

Senators Craig, Hicks-Hudson

Cosponsors: Senators DeMora, Smith, Liston

A BILL

To amend sections 149.43, 2923.11, 2923.125, 1
2923.128, and 2923.20 and to enact sections 2
2923.133, 2923.22, 2923.221, and 4731.058 of the 3
Revised Code to enact the Suicide Self-Defense 4
Act, relative to the creation of a do not 5
possess firearms registry. 6

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

Section 1. That sections 149.43, 2923.11, 2923.125, 7
2923.128, and 2923.20 be amended and sections 2923.133, 2923.22, 8
2923.221, and 4731.058 of the Revised Code be enacted to read as 9
follows: 10

Sec. 149.43. (A) As used in this section: 11

(1) "Public record" means records kept by any public 12
office, including, but not limited to, state, county, city, 13
village, township, and school district units, and records 14
pertaining to the delivery of educational services by an 15
alternative school in this state kept by the nonprofit or for- 16
profit entity operating the alternative school pursuant to 17
section 3313.533 of the Revised Code. "Public record" does not 18

mean any of the following:	19
(a) Medical records;	20
(b) Records pertaining to probation and parole proceedings, to proceedings related to the imposition of community control sanctions and post-release control sanctions, or to proceedings related to determinations under section 2967.271 of the Revised Code regarding the release or maintained incarceration of an offender to whom that section applies;	21 22 23 24 25 26
(c) Records pertaining to actions under section 2151.85 and division (C) of section 2919.121 of the Revised Code and to appeals of actions arising under those sections;	27 28 29
(d) Records pertaining to adoption proceedings, including the contents of an adoption file maintained by the department of health under sections 3705.12 to 3705.124 of the Revised Code;	30 31 32
(e) Information in a record contained in the putative father registry established by section 3107.062 of the Revised Code, regardless of whether the information is held by the department of job and family services or, pursuant to section 3111.69 of the Revised Code, the office of child support in the department or a child support enforcement agency;	33 34 35 36 37 38
(f) Records specified in division (A) of section 3107.52 of the Revised Code;	39 40
(g) Trial preparation records;	41
(h) Confidential law enforcement investigatory records;	42
(i) Records containing information that is confidential under section 2710.03 or 4112.05 of the Revised Code;	43 44
(j) DNA records stored in the DNA database pursuant to	45

section 109.573 of the Revised Code;	46
(k) Inmate records released by the department of rehabilitation and correction to the department of youth services or a court of record pursuant to division (E) of section 5120.21 of the Revised Code;	47 48 49 50
(l) Records maintained by the department of youth services pertaining to children in its custody released by the department of youth services to the department of rehabilitation and correction pursuant to section 5139.05 of the Revised Code;	51 52 53 54
(m) Intellectual property records;	55
(n) Donor profile records;	56
(o) Records maintained by the department of job and family services pursuant to section 3121.894 of the Revised Code;	57 58
(p) Designated public service worker residential and familial information;	59 60
(q) In the case of a county hospital operated pursuant to Chapter 339. of the Revised Code or a municipal hospital operated pursuant to Chapter 749. of the Revised Code, information that constitutes a trade secret, as defined in section 1333.61 of the Revised Code;	61 62 63 64 65
(r) Information pertaining to the recreational activities of a person under the age of eighteen;	66 67
(s) In the case of a child fatality review board acting under sections 307.621 to 307.629 of the Revised Code or a review conducted pursuant to guidelines established by the director of health under section 3701.70 of the Revised Code, records provided to the board or director, statements made by board members during meetings of the board or by persons	68 69 70 71 72 73

participating in the director's review, and all work products of 74
the board or director, and in the case of a child fatality 75
review board, child fatality review data submitted by the board 76
to the department of health or a national child death review 77
database, other than the report prepared pursuant to division 78
(A) of section 307.626 of the Revised Code; 79

(t) Records provided to and statements made by the 80
executive director of a public children services agency or a 81
prosecuting attorney acting pursuant to section 5153.171 of the 82
Revised Code other than the information released under that 83
section; 84

(u) Test materials, examinations, or evaluation tools used 85
in an examination for licensure as a nursing home administrator 86
that the board of executives of long-term services and supports 87
administers under section 4751.15 of the Revised Code or 88
contracts under that section with a private or government entity 89
to administer; 90

(v) Records the release of which is prohibited by state or 91
federal law; 92

(w) Proprietary information of or relating to any person 93
that is submitted to or compiled by the Ohio venture capital 94
authority created under section 150.01 of the Revised Code; 95

(x) Financial statements and data any person submits for 96
any purpose to the Ohio housing finance agency or the 97
controlling board in connection with applying for, receiving, or 98
accounting for financial assistance from the agency, and 99
information that identifies any individual who benefits directly 100
or indirectly from financial assistance from the agency; 101

(y) Records listed in section 5101.29 of the Revised Code; 102

(z) Discharges recorded with a county recorder under	103
section 317.24 of the Revised Code, as specified in division (B)	104
(2) of that section;	105
(aa) Usage information including names and addresses of	106
specific residential and commercial customers of a municipally	107
owned or operated public utility;	108
(bb) Records described in division (C) of section 187.04	109
of the Revised Code that are not designated to be made available	110
to the public as provided in that division;	111
(cc) Information and records that are made confidential,	112
privileged, and not subject to disclosure under divisions (B)	113
and (C) of section 2949.221 of the Revised Code;	114
(dd) Personal information, as defined in section 149.45 of	115
the Revised Code;	116
(ee) The confidential name, address, and other personally	117
identifiable information of a program participant in the address	118
confidentiality program established under sections 111.41 to	119
111.47 of the Revised Code, including the contents of any	120
application for absent voter's ballots, absent voter's ballot	121
identification envelope statement of voter, or provisional	122
ballot affirmation completed by a program participant who has a	123
confidential voter registration record; records or portions of	124
records pertaining to that program that identify the number of	125
program participants that reside within a precinct, ward,	126
township, municipal corporation, county, or any other geographic	127
area smaller than the state; and any real property	128
confidentiality notice filed under section 111.431 of the	129
Revised Code and the information described in division (C) of	130
that section. As used in this division, "confidential address"	131

and "program participant" have the meaning defined in section 132
111.41 of the Revised Code. 133

(ff) Orders for active military service of an individual 134
serving or with previous service in the armed forces of the 135
United States, including a reserve component, or the Ohio 136
organized militia, except that, such order becomes a public 137
record on the day that is fifteen years after the published date 138
or effective date of the call to order; 139

(gg) The name, address, contact information, or other 140
personal information of an individual who is less than eighteen 141
years of age that is included in any record related to a traffic 142
accident involving a school vehicle in which the individual was 143
an occupant at the time of the accident; 144

(hh) Protected health information, as defined in 45 C.F.R. 145
160.103, that is in a claim for payment for a health care 146
product, service, or procedure, as well as any other health 147
claims data in another document that reveals the identity of an 148
individual who is the subject of the data or could be used to 149
reveal that individual's identity; 150

(ii) Any depiction by photograph, film, videotape, or 151
printed or digital image under either of the following 152
circumstances: 153

(i) The depiction is that of a victim of an offense the 154
release of which would be, to a reasonable person of ordinary 155
sensibilities, an offensive and objectionable intrusion into the 156
victim's expectation of bodily privacy and integrity. 157

(ii) The depiction captures or depicts the victim of a 158
sexually oriented offense, as defined in section 2950.01 of the 159
Revised Code, at the actual occurrence of that offense. 160

(jj) Restricted portions of a body-worn camera or dashboard camera recording;	161 162
(kk) In the case of a fetal-infant mortality review board acting under sections 3707.70 to 3707.77 of the Revised Code, records, documents, reports, or other information presented to the board or a person abstracting such materials on the board's behalf, statements made by review board members during board meetings, all work products of the board, and data submitted by the board to the department of health or a national infant death review database, other than the report prepared pursuant to section 3707.77 of the Revised Code.	163 164 165 166 167 168 169 170 171
(ll) Records, documents, reports, or other information presented to the pregnancy-associated mortality review board established under section 3738.01 of the Revised Code, statements made by board members during board meetings, all work products of the board, and data submitted by the board to the department of health, other than the biennial reports prepared under section 3738.08 of the Revised Code;	172 173 174 175 176 177 178
(mm) Except as otherwise provided in division (A) (1) (oo) of this section, telephone numbers for a victim, as defined in section 2930.01 of the Revised Code or a witness to a crime that are listed on any law enforcement record or report.	179 180 181 182
(nn) A preneed funeral contract, as defined in section 4717.01 of the Revised Code, and contract terms and personally identifying information of a preneed funeral contract, that is contained in a report submitted by or for a funeral home to the board of embalmers and funeral directors under division (C) of section 4717.13, division (J) of section 4717.31, or section 4717.41 of the Revised Code.	183 184 185 186 187 188 189

(oo) Telephone numbers for a party to a motor vehicle	190
accident subject to the requirements of section 5502.11 of the	191
Revised Code that are listed on any law enforcement record or	192
report, except that the telephone numbers described in this	193
division are not excluded from the definition of "public record"	194
under this division on and after the thirtieth day after the	195
occurrence of the motor vehicle accident.	196
(pp) Records pertaining to individuals who complete	197
training under section 5502.703 of the Revised Code to be	198
permitted by a school district board of education or governing	199
body of a community school established under Chapter 3314. of	200
the Revised Code, a STEM school established under Chapter 3326.	201
of the Revised Code, or a chartered nonpublic school to convey	202
deadly weapons or dangerous ordnance into a school safety zone;	203
(qq) Records, documents, reports, or other information	204
presented to a domestic violence fatality review board	205
established under section 307.651 of the Revised Code,	206
statements made by board members during board meetings, all work	207
products of the board, and data submitted by the board to the	208
department of health, other than a report prepared pursuant to	209
section 307.656 of the Revised Code;	210
(rr) Records, documents, and information the release of	211
which is prohibited under sections 2930.04 and 2930.07 of the	212
Revised Code;	213
(ss) Records of an existing qualified nonprofit	214
corporation that creates a special improvement district under	215
Chapter 1710. of the Revised Code that do not pertain to a	216
purpose for which the district is created;	217
(tt) Educational support services data, as defined in	218

section 3319.325 of the Revised Code;	219
(uu) Records of the past, current, and future work schedule of a designated public service worker. As used in division (A)(1)(uu) of this section, "work schedule" does not include the docket of cases of a court, judge, or magistrate;	220 221 222 223
(vv) A request form or confirmation letter submitted to a public office under section 149.45 of the Revised Code;	224 225
(ww) An affidavit or confirmation letter submitted under section 319.28 of the Revised Code;	226 227
(xx) License or certificate application or renewal responses and supporting documentation submitted to the state medical board regarding an applicant's, or a license or certificate holder's, inability to practice according to acceptable and prevailing standards of care by reason of a medical condition;	228 229 230 231 232 233
<u>(yy) An application for a request to be enrolled in or removed from the do not possess firearms registry created under section 2923.22 of the Revised Code and any other personal identifying information contained in or related to the registry.</u>	234 235 236 237
A record that is not a public record under division (A)(1) of this section and that, under law, is permanently retained becomes a public record on the day that is seventy-five years after the day on which the record was created, or in the case of a record that is not a public record under division (A)(1)(uu) of this section that is retained, three years after the day on which the record was created, except for any record protected by the attorney-client privilege, a trial preparation record as defined in this section, a statement prohibiting the release of identifying information signed under section 3107.083 of the	238 239 240 241 242 243 244 245 246 247

Revised Code, a denial of release form filed pursuant to section 248
3107.46 of the Revised Code, or any record that is exempt from 249
release or disclosure under section 149.433 of the Revised Code. 250
If the record is a birth certificate and a biological parent's 251
name redaction request form has been accepted under section 252
3107.391 of the Revised Code, the name of that parent shall be 253
redacted from the birth certificate before it is released under 254
this paragraph. If any other section of the Revised Code 255
establishes a time period for disclosure of a record that 256
conflicts with the time period specified in this section, the 257
time period in the other section prevails. 258

(2) "Confidential law enforcement investigatory record" 259
means any record that pertains to a law enforcement matter of a 260
criminal, quasi-criminal, civil, or administrative nature, but 261
only to the extent that the release of the record would create a 262
high probability of disclosure of any of the following: 263

(a) The identity of a suspect who has not been charged 264
with the offense to which the record pertains, or of an 265
information source or witness to whom confidentiality has been 266
reasonably promised; 267

(b) Information provided by an information source or 268
witness to whom confidentiality has been reasonably promised, 269
which information would reasonably tend to disclose the source's 270
or witness's identity; 271

(c) Specific confidential investigatory techniques or 272
procedures or specific investigatory work product; 273

(d) Information that would endanger the life or physical 274
safety of law enforcement personnel, a crime victim, a witness, 275
or a confidential information source. 276

(3) "Medical record" means any document or combination of documents, except births, deaths, and the fact of admission to or discharge from a hospital, that pertains to the medical history, diagnosis, prognosis, or medical condition of a patient and that is generated and maintained in the process of medical treatment.

(4) "Trial preparation record" means any record that contains information that is specifically compiled in reasonable anticipation of, or in defense of, a civil or criminal action or proceeding, including the independent thought processes and personal trial preparation of an attorney.

(5) "Intellectual property record" means a record, other than a financial or administrative record, that is produced or collected by or for faculty or staff of a state institution of higher learning in the conduct of or as a result of study or research on an educational, commercial, scientific, artistic, technical, or scholarly issue, regardless of whether the study or research was sponsored by the institution alone or in conjunction with a governmental body or private concern, and that has not been publicly released, published, or patented.

(6) "Donor profile record" means all records about donors or potential donors to a public institution of higher education except the names and reported addresses of the actual donors and the date, amount, and conditions of the actual donation.

(7) "Designated public service worker" means a peace officer, parole officer, probation officer, bailiff, prosecuting attorney, assistant prosecuting attorney, correctional employee, county or multicounty corrections officer, community-based correctional facility employee, designated Ohio national guard member, protective services worker, youth services employee,

firefighter, EMT, medical director or member of a cooperating 307
physician advisory board of an emergency medical service 308
organization, state board of pharmacy employee, investigator of 309
the bureau of criminal identification and investigation, 310
emergency service telecommunicator, forensic mental health 311
provider, mental health evaluation provider, regional 312
psychiatric hospital employee, judge, magistrate, or federal law 313
enforcement officer. 314

(8) "Designated public service worker residential and 315
familial information" means any information that discloses any 316
of the following about a designated public service worker: 317

(a) The address of the actual personal residence of a 318
designated public service worker, except for the following 319
information: 320

(i) The address of the actual personal residence of a 321
prosecuting attorney or judge; and 322

(ii) The state or political subdivision in which a 323
designated public service worker resides. 324

(b) Information compiled from referral to or participation 325
in an employee assistance program; 326

(c) The social security number, the residential telephone 327
number, any bank account, debit card, charge card, or credit 328
card number, or the emergency telephone number of, or any 329
medical information pertaining to, a designated public service 330
worker; 331

(d) The name of any beneficiary of employment benefits, 332
including, but not limited to, life insurance benefits, provided 333
to a designated public service worker by the designated public 334
service worker's employer; 335

(e) The identity and amount of any charitable or 336
employment benefit deduction made by the designated public 337
service worker's employer from the designated public service 338
worker's compensation, unless the amount of the deduction is 339
required by state or federal law; 340

(f) The name, the residential address, the name of the 341
employer, the address of the employer, the social security 342
number, the residential telephone number, any bank account, 343
debit card, charge card, or credit card number, or the emergency 344
telephone number of the spouse, a former spouse, or any child of 345
a designated public service worker; 346

(g) A photograph of a peace officer who holds a position 347
or has an assignment that may include undercover or plain 348
clothes positions or assignments as determined by the peace 349
officer's appointing authority. 350

(9) As used in divisions (A) (7) and (15) to (17) of this 351
section: 352

"Peace officer" has the meaning defined in section 109.71 353
of the Revised Code and also includes the superintendent and 354
troopers of the state highway patrol; it does not include the 355
sheriff of a county or a supervisory employee who, in the 356
absence of the sheriff, is authorized to stand in for, exercise 357
the authority of, and perform the duties of the sheriff. 358

"Correctional employee" means any employee of the 359
department of rehabilitation and correction who in the course of 360
performing the employee's job duties has or has had contact with 361
inmates and persons under supervision. 362

"County or multicounty corrections officer" means any 363
corrections officer employed by any county or multicounty 364

correctional facility. 365

"Designated Ohio national guard member" means a member of 366
the Ohio national guard who is participating in duties related 367
to remotely piloted aircraft, including, but not limited to, 368
pilots, sensor operators, and mission intelligence personnel, 369
duties related to special forces operations, or duties related 370
to cybersecurity, and is designated by the adjutant general as a 371
designated public service worker for those purposes. 372

"Protective services worker" means any employee of a 373
county agency who is responsible for child protective services, 374
child support services, or adult protective services. 375

"Youth services employee" means any employee of the 376
department of youth services who in the course of performing the 377
employee's job duties has or has had contact with children 378
committed to the custody of the department of youth services. 379

"Firefighter" means any regular, paid or volunteer, member 380
of a lawfully constituted fire department of a municipal 381
corporation, township, fire district, or village. 382

"EMT" means EMTs-basic, EMTs-I, and paramedics that 383
provide emergency medical services for a public emergency 384
medical service organization. "Emergency medical service 385
organization," "EMT-basic," "EMT-I," and "paramedic" have the 386
meanings defined in section 4765.01 of the Revised Code. 387

"Investigator of the bureau of criminal identification and 388
investigation" has the meaning defined in section 2903.11 of the 389
Revised Code. 390

"Emergency service telecommunicator" means an individual 391
employed by an emergency service provider as defined under 392
section 128.01 of the Revised Code, whose primary responsibility 393

is to be an operator for the receipt or processing of calls for 394
emergency services made by telephone, radio, or other electronic 395
means. 396

"Forensic mental health provider" means any employee of a 397
community mental health service provider or local alcohol, drug 398
addiction, and mental health services board who, in the course 399
of the employee's duties, has contact with persons committed to 400
a local alcohol, drug addiction, and mental health services 401
board by a court order pursuant to section 2945.38, 2945.39, 402
2945.40, or 2945.402 of the Revised Code. 403

"Mental health evaluation provider" means an individual 404
who, under Chapter 5122. of the Revised Code, examines a 405
respondent who is alleged to be a mentally ill person subject to 406
court order, as defined in section 5122.01 of the Revised Code, 407
and reports to the probate court the respondent's mental 408
condition. 409

"Regional psychiatric hospital employee" means any 410
employee of the department of mental health and addiction 411
services who, in the course of performing the employee's duties, 412
has contact with patients committed to the department of mental 413
health and addiction services by a court order pursuant to 414
section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised 415
Code. 416

"Federal law enforcement officer" has the meaning defined 417
in section 9.88 of the Revised Code. 418

(10) "Information pertaining to the recreational 419
activities of a person under the age of eighteen" means 420
information that is kept in the ordinary course of business by a 421
public office, that pertains to the recreational activities of a 422

person under the age of eighteen years, and that discloses any 423
of the following: 424

(a) The address or telephone number of a person under the 425
age of eighteen or the address or telephone number of that 426
person's parent, guardian, custodian, or emergency contact 427
person; 428

(b) The social security number, birth date, or 429
photographic image of a person under the age of eighteen; 430

(c) Any medical record, history, or information pertaining 431
to a person under the age of eighteen; 432

(d) Any additional information sought or required about a 433
person under the age of eighteen for the purpose of allowing 434
that person to participate in any recreational activity 435
conducted or sponsored by a public office or to use or obtain 436
admission privileges to any recreational facility owned or 437
operated by a public office. 438

(11) "Community control sanction" has the meaning defined 439
in section 2929.01 of the Revised Code. 440

(12) "Post-release control sanction" has the meaning 441
defined in section 2967.01 of the Revised Code. 442

(13) "Redaction" means obscuring or deleting any 443
information that is exempt from the duty to permit public 444
inspection or copying from an item that otherwise meets the 445
definition of a "record" in section 149.011 of the Revised Code. 446

(14) "Designee," "elected official," and "future official" 447
have the meanings defined in section 109.43 of the Revised Code. 448

(15) "Body-worn camera" means a visual and audio recording 449
device worn on the person of a correctional employee, youth 450

services employee, or peace officer while the correctional 451
employee, youth services employee, or peace officer is engaged 452
in the performance of official duties. 453

(16) "Dashboard camera" means a visual and audio recording 454
device mounted on a peace officer's vehicle or vessel that is 455
used while the peace officer is engaged in the performance of 456
the peace officer's duties. 457

(17) "Restricted portions of a body-worn camera or 458
dashboard camera recording" means any visual or audio portion of 459
a body-worn camera or dashboard camera recording that shows, 460
communicates, or discloses any of the following: 461

(a) The image or identity of a child or information that 462
could lead to the identification of a child who is a primary 463
subject of the recording when the department of rehabilitation 464
and correction, department of youth services, or the law 465
enforcement agency knows or has reason to know the person is a 466
child based on the department's or law enforcement agency's 467
records or the content of the recording; 468

(b) The death of a person or a deceased person's body, 469
unless the death was caused by a correctional employee, youth 470
services employee, or peace officer or, subject to division (H) 471
(1) of this section, the consent of the decedent's executor or 472
administrator has been obtained; 473

(c) The death of a correctional employee, youth services 474
employee, peace officer, firefighter, paramedic, or other first 475
responder, occurring while the decedent was engaged in the 476
performance of official duties, unless, subject to division (H) 477
(1) of this section, the consent of the decedent's executor or 478
administrator has been obtained; 479

(d) Grievous bodily harm, unless the injury was effected 480
by a correctional employee, youth services employee, or peace 481
officer or, subject to division (H) (1) of this section, the 482
consent of the injured person or the injured person's guardian 483
has been obtained; 484

(e) An act of severe violence against a person that 485
results in serious physical harm to the person, unless the act 486
and injury was effected by a correctional employee, youth 487
services employee, or peace officer or, subject to division (H) 488
(1) of this section, the consent of the injured person or the 489
injured person's guardian has been obtained; 490

(f) Grievous bodily harm to a correctional employee, youth 491
services employee, peace officer, firefighter, paramedic, or 492
other first responder, occurring while the injured person was 493
engaged in the performance of official duties, unless, subject 494
to division (H) (1) of this section, the consent of the injured 495
person or the injured person's guardian has been obtained; 496

(g) An act of severe violence resulting in serious 497
physical harm against a correctional employee, youth services 498
employee, peace officer, firefighter, paramedic, or other first 499
responder, occurring while the injured person was engaged in the 500
performance of official duties, unless, subject to division (H) 501
(1) of this section, the consent of the injured person or the 502
injured person's guardian has been obtained; 503

(h) A person's nude body, unless, subject to division (H) 504
(1) of this section, the person's consent has been obtained; 505

(i) Protected health information, the identity of a person 506
in a health care facility who is not the subject of a 507
correctional, youth services, or law enforcement encounter, or 508

any other information in a health care facility that could 509
identify a person who is not the subject of a correctional, 510
youth services, or law enforcement encounter; 511

(j) Information that could identify the alleged victim of 512
a sex offense, menacing by stalking, or domestic violence; 513

(k) Information, that does not constitute a confidential 514
law enforcement investigatory record, that could identify a 515
person who provides sensitive or confidential information to the 516
department of rehabilitation and correction, the department of 517
youth services, or a law enforcement agency when the disclosure 518
of the person's identity or the information provided could 519
reasonably be expected to threaten or endanger the safety or 520
property of the person or another person; 521

(l) Personal information of a person who is not arrested, 522
cited, charged, or issued a written warning by a peace officer; 523

(m) Proprietary correctional, youth services, or police 524
contingency plans or tactics that are intended to prevent crime 525
and maintain public order and safety; 526

(n) A personal conversation unrelated to work between 527
correctional employees, youth services employees, or peace 528
officers or between a correctional employee, youth services 529
employee, or peace officer and an employee of a law enforcement 530
agency; 531

(o) A conversation between a correctional employee, youth 532
services employee, or peace officer and a member of the public 533
that does not concern correctional, youth services, or law 534
enforcement activities; 535

(p) The interior of a residence, unless the interior of a 536
residence is the location of an adversarial encounter with, or a 537

use of force by, a correctional employee, youth services	538
employee, or peace officer;	539
(q) Any portion of the interior of a private business that	540
is not open to the public, unless an adversarial encounter with,	541
or a use of force by, a correctional employee, youth services	542
employee, or peace officer occurs in that location.	543
As used in division (A) (17) of this section:	544
"Grievous bodily harm" has the same meaning as in section	545
5924.120 of the Revised Code.	546
"Health care facility" has the same meaning as in section	547
1337.11 of the Revised Code.	548
"Protected health information" has the same meaning as in	549
45 C.F.R. 160.103.	550
"Law enforcement agency" means a government entity that	551
employs peace officers to perform law enforcement duties.	552
"Personal information" means any government-issued	553
identification number, date of birth, address, financial	554
information, or criminal justice information from the law	555
enforcement automated data system or similar databases.	556
"Sex offense" has the same meaning as in section 2907.10	557
of the Revised Code.	558
"Firefighter," "paramedic," and "first responder" have the	559
same meanings as in section 4765.01 of the Revised Code.	560
(B) (1) Upon request by any person and subject to division	561
(B) (8) of this section, all public records responsive to the	562
request shall be promptly prepared and made available for	563
inspection to the requester at all reasonable times during	564

regular business hours. Subject to division (B) (8) of this 565
section, upon request by any person, a public office or person 566
responsible for public records shall make copies of the 567
requested public record available to the requester at cost and 568
within a reasonable period of time. 569

When considering whether a state or local law enforcement 570
agency promptly prepared a video record for inspection or 571
provided a video record for production within a reasonable 572
period of time, in addition to any other factors, a court shall 573
consider the time required for a state or local law enforcement 574
agency to retrieve, download, review, redact, seek legal advice 575
regarding, and produce the video record. Notwithstanding any 576
other requirement set forth in Chapter 149. of the Revised Code, 577
a state or local law enforcement agency may charge a requester 578
the actual cost associated with preparing a video record for 579
inspection or production, not to exceed seventy-five dollars per 580
hour of video produced, nor seven hundred fifty dollars total. 581
As used in this division, "actual cost," with respect to video 582
records only, means all costs incurred by the state or local law 583
enforcement agency in reviewing, blurring or otherwise 584
obscuring, redacting, uploading, or producing the video records, 585
including but not limited to the storage medium on which the 586
record is produced, staff time, and any other relevant overhead 587
necessary to comply with the request. A state or local law 588
enforcement agency may include in its public records policy the 589
requirement that a requester pay the estimated actual cost 590
before beginning the process of preparing a video record for 591
inspection or production. Where a state or local law enforcement 592
agency imposes such a requirement, its obligation to produce a 593
video or make it available for inspection begins once the 594
estimated actual cost is paid in full by the requester. A state 595

or local law enforcement agency shall provide the requester with 596
the estimated actual cost within five business days of receipt 597
of the public records request. If the actual cost exceeds the 598
estimated actual cost, a state or local law enforcement agency 599
may charge a requester for the difference upon fulfilling a 600
request for video records if the requester is notified in 601
advance that the actual cost may be up to twenty per cent higher 602
than the estimated actual cost. A state or local law enforcement 603
agency shall not charge a requester a difference that exceeds 604
twenty per cent of the estimated actual cost. 605

If a public record contains information that is exempt 606
from the duty to permit public inspection or to copy the public 607
record, the public office or the person responsible for the 608
public record shall make available all of the information within 609
the public record that is not exempt. When making that public 610
record available for public inspection or copying that public 611
record, the public office or the person responsible for the 612
public record shall notify the requester of any redaction or 613
make the redaction plainly visible. A redaction shall be deemed 614
a denial of a request to inspect or copy the redacted 615
information, except if federal or state law authorizes or 616
requires a public office to make the redaction. When the auditor 617
of state receives a request to inspect or to make a copy of a 618
record that was provided to the auditor of state for purposes of 619
an audit, but the original public office has asserted to the 620
auditor of state that the record is not a public record, the 621
auditor of state may handle the requests by directing the 622
requestor to the original public office that provided the record 623
to the auditor of state. 624

(2) To facilitate broader access to public records, a 625
public office or the person responsible for public records shall 626

organize and maintain public records in a manner that they can 627
be made available for inspection or copying in accordance with 628
division (B) of this section. A public office also shall have 629
available a copy of its current records retention schedule at a 630
location readily available to the public. If a requester makes 631
an ambiguous or overly broad request or has difficulty in making 632
a request for copies or inspection of public records under this 633
section such that the public office or the person responsible 634
for the requested public record cannot reasonably identify what 635
public records are being requested, the public office or the 636
person responsible for the requested public record may deny the 637
request but shall provide the requester with an opportunity to 638
revise the request by informing the requester of the manner in 639
which records are maintained by the public office and accessed 640
in the ordinary course of the public office's or person's 641
duties. 642

(3) If a request is ultimately denied, in part or in 643
whole, the public office or the person responsible for the 644
requested public record shall provide the requester with an 645
explanation, including legal authority, setting forth why the 646
request was denied. If the initial request was provided in 647
writing, the explanation also shall be provided to the requester 648
in writing. The explanation shall not preclude the public office 649
or the person responsible for the requested public record from 650
relying upon additional reasons or legal authority in defending 651
an action commenced under division (C) of this section. 652

(4) Unless specifically required or authorized by state or 653
federal law or in accordance with division (B) of this section, 654
no public office or person responsible for public records may 655
limit or condition the availability of public records by 656
requiring disclosure of the requester's identity or the intended 657

use of the requested public record. Any requirement that the requester disclose the requester's identity or the intended use of the requested public record constitutes a denial of the request.

(5) A public office or person responsible for public records may ask a requester to make the request in writing, may ask for the requester's identity, and may inquire about the intended use of the information requested, but may do so only after disclosing to the requester that a written request is not mandatory, that the requester may decline to reveal the requester's identity or the intended use, and when a written request or disclosure of the identity or intended use would benefit the requester by enhancing the ability of the public office or person responsible for public records to identify, locate, or deliver the public records sought by the requester.

(6) If any person requests a copy of a public record in accordance with division (B) of this section, the public office or person responsible for the public record may require the requester to pay in advance the cost involved in providing the copy of the public record in accordance with the choice made by the requester under this division. The public office or the person responsible for the public record shall permit the requester to choose to have the public record duplicated upon paper, upon the same medium upon which the public office or person responsible for the public record keeps it, or upon any other medium upon which the public office or person responsible for the public record determines that it reasonably can be duplicated as an integral part of the normal operations of the public office or person responsible for the public record. When the requester makes a choice under this division, the public office or person responsible for the public record shall provide

a copy of it in accordance with the choice made by the 689
requester. Nothing in this section requires a public office or 690
person responsible for the public record to allow the requester 691
of a copy of the public record to make the copies of the public 692
record. 693

(7) (a) Upon a request made in accordance with division (B) 694
of this section and subject to division (B) (6) of this section, 695
a public office or person responsible for public records shall 696
transmit a copy of a public record to any person by United 697
States mail or by any other means of delivery or transmission 698
within a reasonable period of time after receiving the request 699
for the copy. The public office or person responsible for the 700
public record may require the person making the request to pay 701
in advance the cost of postage if the copy is transmitted by 702
United States mail or the cost of delivery if the copy is 703
transmitted other than by United States mail, and to pay in 704
advance the costs incurred for other supplies used in the 705
mailing, delivery, or transmission. 706

(b) Any public office may adopt a policy and procedures 707
that it will follow in transmitting, within a reasonable period 708
of time after receiving a request, copies of public records by 709
United States mail or by any other means of delivery or 710
transmission pursuant to division (B) (7) of this section. A 711
public office that adopts a policy and procedures under division 712
(B) (7) of this section shall comply with them in performing its 713
duties under that division. 714

(c) In any policy and procedures adopted under division 715
(B) (7) of this section: 716

(i) A public office may limit the number of records 717
requested by a person that the office will physically deliver by 718

United States mail or by another delivery service to ten per 719
month, unless the person certifies to the office in writing that 720
the person does not intend to use or forward the requested 721
records, or the information contained in them, for commercial 722
purposes; 723

(ii) A public office that chooses to provide some or all 724
of its public records on a web site that is fully accessible to 725
and searchable by members of the public at all times, other than 726
during acts of God outside the public office's control or 727
maintenance, and that charges no fee to search, access, 728
download, or otherwise receive records provided on the web site, 729
may limit to ten per month the number of records requested by a 730
person that the office will deliver in a digital format, unless 731
the requested records are not provided on the web site and 732
unless the person certifies to the office in writing that the 733
person does not intend to use or forward the requested records, 734
or the information contained in them, for commercial purposes. 735

(iii) For purposes of division (B) (7) of this section, 736
"commercial" shall be narrowly construed and does not include 737
reporting or gathering news, reporting or gathering information 738
to assist citizen oversight or understanding of the operation or 739
activities of government, or nonprofit educational research. 740

(8) A public office or person responsible for public 741
records is not required to permit a person who is incarcerated 742
pursuant to a criminal conviction or a juvenile adjudication to 743
inspect or to obtain a copy of any public record concerning a 744
criminal investigation or prosecution or concerning what would 745
be a criminal investigation or prosecution if the subject of the 746
investigation or prosecution were an adult, unless the request 747
to inspect or to obtain a copy of the record is for the purpose 748

of acquiring information that is subject to release as a public 749
record under this section and the judge who imposed the sentence 750
or made the adjudication with respect to the person, or the 751
judge's successor in office, finds that the information sought 752
in the public record is necessary to support what appears to be 753
a justiciable claim of the person. As used in this division, 754
"public record concerning a criminal investigation or 755
prosecution or concerning what would be a criminal investigation 756
or prosecution if the subject of the investigation were an 757
adult" includes, but is not limited to, personnel files and 758
payroll and attendance records of designated public service 759
workers. 760

(9) (a) Upon written request made and signed by a 761
journalist, a public office, or person responsible for public 762
records, having custody of the records of the agency employing a 763
specified designated public service worker shall disclose to the 764
journalist the address of the actual personal residence of the 765
designated public service worker and, if the designated public 766
service worker's spouse, former spouse, or child is employed by 767
a public office, the name and address of the employer of the 768
designated public service worker's spouse, former spouse, or 769
child, and any past, current, and future work schedules of the 770
designated public service worker. The request shall include the 771
journalist's name and title and the name and address of the 772
journalist's employer and shall state that disclosure of the 773
information sought would be in the public interest. 774

(b) Division (B) (9) (a) of this section also applies to 775
journalist requests for: 776

(i) Customer information maintained by a municipally owned 777
or operated public utility, other than social security numbers 778

and any private financial information such as credit reports, 779
payment methods, credit card numbers, and bank account 780
information; 781

(ii) Information about minors involved in a school vehicle 782
accident as provided in division (A)(1)(gg) of this section, 783
other than personal information as defined in section 149.45 of 784
the Revised Code; 785

(iii) A request form submitted to a public office under 786
section 149.45 of the Revised Code; 787

(iv) An affidavit submitted under section 319.28 of the 788
Revised Code. 789

(c) As used in division (B)(9) of this section, 790
"journalist" means a person engaged in, connected with, or 791
employed by any news medium, including a newspaper, magazine, 792
press association, news agency, or wire service, a radio or 793
television station, or a similar medium, for the purpose of 794
gathering, processing, transmitting, compiling, editing, or 795
disseminating information for the general public. 796

(10) Upon a request made by a victim, victim's attorney, 797
or victim's representative, as that term is used in section 798
2930.02 of the Revised Code, a public office or person 799
responsible for public records shall transmit a copy of a 800
depiction of the victim as described in division (A)(1)(ii) of 801
this section to the victim, victim's attorney, or victim's 802
representative. 803

(C)(1) If a person allegedly is aggrieved by the failure 804
of a public office or the person responsible for public records 805
to promptly prepare a public record and to make it available to 806
the person for inspection in accordance with division (B) of 807

this section or by any other failure of a public office or the person responsible for public records to comply with an obligation in accordance with division (B) of this section, the person allegedly aggrieved may serve pursuant to Rule 4 of the Ohio Rules of Civil Procedure a complaint, on a form prescribed by the clerk of the court of claims, to the public office or person responsible for public records allegedly responsible for the alleged failure. Upon receipt of the complaint of the person allegedly aggrieved, the public office or person responsible for public records has three business days to cure or otherwise address the failure alleged in the complaint. The person allegedly aggrieved shall not file a complaint with a court or commence a mandamus action under this section within the three-day period. Upon the expiration of the three-day period, the person allegedly aggrieved may, subject to the requirements of division (C) (2) of this section, do only one of the following, and not both:

(a) File a complaint with the clerk of the court of claims or the clerk of the court of common pleas under section 2743.75 of the Revised Code;

(b) Commence a mandamus action to obtain a judgment that orders the public office or the person responsible for the public record to comply with division (B) of this section, that awards court costs and reasonable attorney's fees to the person that instituted the mandamus action, and, if applicable, that includes an order fixing statutory damages under division (C) (3) of this section. The mandamus action may be commenced in the court of common pleas of the county in which division (B) of this section allegedly was not complied with, in the supreme court pursuant to its original jurisdiction under Section 2 of Article IV, Ohio Constitution, or in the court of appeals for

the appellate district in which division (B) of this section 839
allegedly was not complied with pursuant to its original 840
jurisdiction under Section 3 of Article IV, Ohio Constitution. 841

(2) Upon filing a complaint or mandamus action with a 842
court under divisions (C) (1) (a) or (b) of this section, a person 843
allegedly aggrieved shall file with the court, in conjunction 844
with the person's complaint or petition, a written affirmation 845
stating that the person properly transmitted a complaint to the 846
public office or person responsible for public records, the 847
failure alleged in the complaint has not been cured or otherwise 848
resolved to the person's satisfaction, and that the complaint 849
was transmitted to the public office or person responsible for 850
public records at least three business days before the filing of 851
the suit. If the person fails to file an affirmation pursuant to 852
this division, the suit shall be dismissed. 853

(3) If a requester transmits a written request by hand 854
delivery, electronic submission, or certified mail to inspect or 855
receive copies of any public record in a manner that fairly 856
describes the public record or class of public records to the 857
public office or person responsible for the requested public 858
records, except as otherwise provided in this section, the 859
requester shall be entitled to recover the amount of statutory 860
damages set forth in this division if a court determines that 861
the public office or the person responsible for public records 862
failed to comply with an obligation in accordance with division 863
(B) of this section. Statutory damages are not available 864
pursuant to this section to a person committed to the custody of 865
the department of rehabilitation and correction or the United 866
States bureau of prisons, or a child committed to the department 867
of youth services as permitted in Chapter 2152. of the Revised 868
Code. 869

The amount of statutory damages shall be fixed at one 870
hundred dollars for each business day during which the public 871
office or person responsible for the requested public records 872
failed to comply with an obligation in accordance with division 873
(B) of this section, beginning with the day on which the 874
requester files a mandamus action to recover statutory damages, 875
up to a maximum of one thousand dollars. The award of statutory 876
damages shall not be construed as a penalty, but as compensation 877
for injury arising from lost use of the requested information. 878
The existence of this injury shall be conclusively presumed. The 879
award of statutory damages shall be in addition to all other 880
remedies authorized by this section. 881

The court may reduce an award of statutory damages or not 882
award statutory damages if the court determines both of the 883
following: 884

(a) That, based on the ordinary application of statutory 885
law and case law as it existed at the time of the conduct or 886
threatened conduct of the public office or person responsible 887
for the requested public records that allegedly constitutes a 888
failure to comply with an obligation in accordance with division 889
(B) of this section and that was the basis of the mandamus 890
action, a well-informed public office or person responsible for 891
the requested public records reasonably would believe that the 892
conduct or threatened conduct of the public office or person 893
responsible for the requested public records did not constitute 894
a failure to comply with an obligation in accordance with 895
division (B) of this section; 896

(b) That a well-informed public office or person 897
responsible for the requested public records reasonably would 898
believe that the conduct or threatened conduct of the public 899

office or person responsible for the requested public records 900
would serve the public policy that underlies the authority that 901
is asserted as permitting that conduct or threatened conduct. 902

(4) In a mandamus action filed under division (C) (1) of 903
this section, the following apply: 904

(a) (i) If the court orders the public office or the person 905
responsible for the public record to comply with division (B) of 906
this section, the court shall determine and award to the relator 907
all court costs, which shall be construed as remedial and not 908
punitive. 909

(ii) If the court makes a determination described in 910
division (C) (4) (b) (iii) of this section, the court shall 911
determine and award to the relator all court costs, which shall 912
be construed as remedial and not punitive. 913

(b) If the court renders a judgment that orders the public 914
office or the person responsible for the public record to comply 915
with division (B) of this section or if the court determines any 916
of the following, the court may award reasonable attorney's fees 917
to the relator, subject to division (C) (5) of this section: 918

(i) The public office or the person responsible for the 919
public records failed to respond affirmatively or negatively to 920
the public records request in accordance with the time allowed 921
under division (B) of this section. 922

(ii) The public office or the person responsible for the 923
public records promised to permit the relator to inspect or 924
receive copies of the public records requested within a 925
specified period of time but failed to fulfill that promise 926
within that specified period of time. 927

(iii) The public office or the person responsible for the 928

public records acted in bad faith when the office or person 929
voluntarily made the public records available to the relator for 930
the first time after the relator commenced the mandamus action, 931
but before the court issued any order concluding whether or not 932
the public office or person was required to comply with division 933
(B) of this section. No discovery may be conducted on the issue 934
of the alleged bad faith of the public office or person 935
responsible for the public records. This division shall not be 936
construed as creating a presumption that the public office or 937
the person responsible for the public records acted in bad faith 938
when the office or person voluntarily made the public records 939
available to the relator for the first time after the relator 940
commenced the mandamus action, but before the court issued any 941
order described in this division. 942

(c) The court shall not award attorney's fees to the 943
relator if the court determines both of the following: 944

(i) That, based on the ordinary application of statutory 945
law and case law as it existed at the time of the conduct or 946
threatened conduct of the public office or person responsible 947
for the requested public records that allegedly constitutes a 948
failure to comply with an obligation in accordance with division 949
(B) of this section and that was the basis of the mandamus 950
action, a well-informed public office or person responsible for 951
the requested public records reasonably would believe that the 952
conduct or threatened conduct of the public office or person 953
responsible for the requested public records did not constitute 954
a failure to comply with an obligation in accordance with 955
division (B) of this section; 956

(ii) That a well-informed public office or person 957
responsible for the requested public records reasonably would 958

believe that the conduct or threatened conduct of the public office or person responsible for the requested public records would serve the public policy that underlies the authority that is asserted as permitting that conduct or threatened conduct.

(5) All of the following apply to any award of reasonable attorney's fees awarded under division (C) (4) (b) of this section:

(a) The fees shall be construed as remedial and not punitive.

(b) The fees awarded shall not exceed the total of the reasonable attorney's fees incurred before the public record was made available to the relator and the fees described in division (C) (5) (c) of this section.

(c) Reasonable attorney's fees shall include reasonable fees incurred to produce proof of the reasonableness and amount of the fees and to otherwise litigate entitlement to the fees.

(d) The court may reduce the amount of fees awarded if the court determines that, given the factual circumstances involved with the specific public records request, an alternative means should have been pursued to more effectively and efficiently resolve the dispute that was subject to the mandamus action filed under division (C) (1) of this section.

(6) If the court does not issue a writ of mandamus under division (C) of this section and the court determines at that time that the bringing of the mandamus action was frivolous conduct as defined in division (A) of section 2323.51 of the Revised Code, the court may award to the public office all court costs, expenses, and reasonable attorney's fees, as determined by the court.

(D) Chapter 1347. of the Revised Code does not limit the 988
provisions of this section. 989

(E) (1) To ensure that all employees of public offices are 990
appropriately educated about a public office's obligations under 991
division (B) of this section, all elected officials or their 992
appropriate designees shall attend training approved by the 993
attorney general as provided in section 109.43 of the Revised 994
Code. A future official may satisfy the requirements of this 995
division by attending the training before taking office, 996
provided that the future official may not send a designee in the 997
future official's place. 998

(2) All public offices shall adopt a public records policy 999
in compliance with this section for responding to public records 1000
requests. In adopting a public records policy under this 1001
division, a public office may obtain guidance from the model 1002
public records policy developed and provided to the public 1003
office by the attorney general under section 109.43 of the 1004
Revised Code. Except as otherwise provided in this section, the 1005
policy may not limit the number of public records that the 1006
public office will make available to a single person, may not 1007
limit the number of public records that it will make available 1008
during a fixed period of time, and may not establish a fixed 1009
period of time before it will respond to a request for 1010
inspection or copying of public records, unless that period is 1011
less than eight hours. 1012

The public office shall distribute the public records 1013
policy adopted by the public office under this division to the 1014
employee of the public office who is the records custodian or 1015
records manager or otherwise has custody of the records of that 1016
office. The public office shall require that employee to 1017

acknowledge receipt of the copy of the public records policy. 1018
The public office shall create a poster that describes its 1019
public records policy and shall post the poster in a conspicuous 1020
place in the public office and in all locations where the public 1021
office has branch offices. The public office may post its public 1022
records policy on the internet web site of the public office if 1023
the public office maintains an internet web site. A public 1024
office that has established a manual or handbook of its general 1025
policies and procedures for all employees of the public office 1026
shall include the public records policy of the public office in 1027
the manual or handbook. 1028

(F) (1) The bureau of motor vehicles may adopt rules 1029
pursuant to Chapter 119. of the Revised Code to reasonably limit 1030
the number of bulk commercial special extraction requests made 1031
by a person for the same records or for updated records during a 1032
calendar year. The rules may include provisions for charges to 1033
be made for bulk commercial special extraction requests for the 1034
actual cost of the bureau, plus special extraction costs, plus 1035
ten per cent. The bureau may charge for expenses for redacting 1036
information, the release of which is prohibited by law. 1037

(2) As used in division (F) (1) of this section: 1038

(a) "Actual cost" means the cost of depleted supplies, 1039
records storage media costs, actual mailing and alternative 1040
delivery costs, or other transmitting costs, and any direct 1041
equipment operating and maintenance costs, including actual 1042
costs paid to private contractors for copying services. 1043

(b) "Bulk commercial special extraction request" means a 1044
request for copies of a record for information in a format other 1045
than the format already available, or information that cannot be 1046
extracted without examination of all items in a records series, 1047

class of records, or database by a person who intends to use or 1048
forward the copies for surveys, marketing, solicitation, or 1049
resale for commercial purposes. "Bulk commercial special 1050
extraction request" does not include a request by a person who 1051
gives assurance to the bureau that the person making the request 1052
does not intend to use or forward the requested copies for 1053
surveys, marketing, solicitation, or resale for commercial 1054
purposes. 1055

(c) "Commercial" means profit-seeking production, buying, 1056
or selling of any good, service, or other product. 1057

(d) "Special extraction costs" means the cost of the time 1058
spent by the lowest paid employee competent to perform the task, 1059
the actual amount paid to outside private contractors employed 1060
by the bureau, or the actual cost incurred to create computer 1061
programs to make the special extraction. "Special extraction 1062
costs" include any charges paid to a public agency for computer 1063
or records services. 1064

(3) For purposes of divisions (F) (1) and (2) of this 1065
section, "surveys, marketing, solicitation, or resale for 1066
commercial purposes" shall be narrowly construed and does not 1067
include reporting or gathering news, reporting or gathering 1068
information to assist citizen oversight or understanding of the 1069
operation or activities of government, or nonprofit educational 1070
research. 1071

(G) A request by a defendant, counsel of a defendant, or 1072
any agent of a defendant in a criminal action that public 1073
records related to that action be made available under this 1074
section shall be considered a demand for discovery pursuant to 1075
the Criminal Rules, except to the extent that the Criminal Rules 1076
plainly indicate a contrary intent. The defendant, counsel of 1077

the defendant, or agent of the defendant making a request under 1078
this division shall serve a copy of the request on the 1079
prosecuting attorney, director of law, or other chief legal 1080
officer responsible for prosecuting the action. 1081

(H) (1) Any portion of a body-worn camera or dashboard 1082
camera recording described in divisions (A) (17) (b) to (h) of 1083
this section may be released by consent of the subject of the 1084
recording or a representative of that person, as specified in 1085
those divisions, only if either of the following applies: 1086

(a) The recording will not be used in connection with any 1087
probable or pending criminal proceedings; 1088

(b) The recording has been used in connection with a 1089
criminal proceeding that was dismissed or for which a judgment 1090
has been entered pursuant to Rule 32 of the Rules of Criminal 1091
Procedure, and will not be used again in connection with any 1092
probable or pending criminal proceedings. 1093

(2) If a public office denies a request to release a 1094
restricted portion of a body-worn camera or dashboard camera 1095
recording, as defined in division (A) (17) of this section, any 1096
person may file a mandamus action pursuant to this section or a 1097
complaint with the clerk of the court of claims pursuant to 1098
section 2743.75 of the Revised Code, requesting the court to 1099
order the release of all or portions of the recording. If the 1100
court considering the request determines that the filing 1101
articulates by clear and convincing evidence that the public 1102
interest in the recording substantially outweighs privacy 1103
interests and other interests asserted to deny release, the 1104
court shall order the public office to release the recording. 1105

Sec. 2923.11. As used in sections 2923.11 to 2923.24 of 1106

the Revised Code: 1107

(A) "Deadly weapon" means any instrument, device, or thing 1108
capable of inflicting death, and designed or specially adapted 1109
for use as a weapon, or possessed, carried, or used as a weapon. 1110

(B) (1) "Firearm" means any deadly weapon capable of 1111
expelling or propelling one or more projectiles by the action of 1112
an explosive or combustible propellant. "Firearm" includes an 1113
unloaded firearm, and any firearm that is inoperable but that 1114
can readily be rendered operable. 1115

(2) When determining whether a firearm is capable of 1116
expelling or propelling one or more projectiles by the action of 1117
an explosive or combustible propellant, the trier of fact may 1118
rely upon circumstantial evidence, including, but not limited 1119
to, the representations and actions of the individual exercising 1120
control over the firearm. 1121

(C) "Handgun" means any of the following: 1122

(1) Any firearm that has a short stock and is designed to 1123
be held and fired by the use of a single hand; 1124

(2) Any combination of parts from which a firearm of a 1125
type described in division (C) (1) of this section can be 1126
assembled. 1127

(D) "Semi-automatic firearm" means any firearm designed or 1128
specially adapted to fire a single cartridge and automatically 1129
chamber a succeeding cartridge ready to fire, with a single 1130
function of the trigger. 1131

(E) "Automatic firearm" means any firearm designed or 1132
specially adapted to fire a succession of cartridges with a 1133
single function of the trigger. 1134

(F) "Sawed-off firearm" means a shotgun with a barrel less than eighteen inches long, or a rifle with a barrel less than sixteen inches long, or a shotgun or rifle less than twenty-six inches long overall. "Sawed-off firearm" does not include any firearm with an overall length of at least twenty-six inches that is approved for sale by the federal bureau of alcohol, tobacco, firearms, and explosives under the "Gun Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(3), but that is found by the bureau not to be regulated under the "National Firearms Act," 68A Stat. 725 (1934), 26 U.S.C. 5845(a).

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

(1) Any firearm of crude and extemporized manufacture;

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

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

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

(I) "Incendiary device" means any firebomb, and any device designed or specially adapted to cause physical harm to persons

or property by means of fire, and consisting of an incendiary 1164
substance or agency and a means to ignite it. 1165

(J) "Ballistic knife" means a knife with a detachable 1166
blade that is propelled by a spring-operated mechanism. 1167

(K) "Dangerous ordnance" means any of the following, 1168
except as provided in division (L) of this section: 1169

(1) Any automatic or sawed-off firearm, zip-gun, or 1170
ballistic knife; 1171

(2) Any explosive device or incendiary device; 1172

(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, 1173
cyclonite, TNT, picric acid, and other high explosives; amatol, 1174
tritonite, tetrytol, pentolite, pecretol, cyclotol, and other 1175
high explosive compositions; plastic explosives; dynamite, 1176
blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, 1177
liquid-oxygen blasting explosives, blasting powder, and other 1178
blasting agents; and any other explosive substance having 1179
sufficient brisance or power to be particularly suitable for use 1180
as a military explosive, or for use in mining, quarrying, 1181
excavating, or demolitions; 1182

(4) Any firearm, rocket launcher, mortar, artillery piece, 1183
grenade, mine, bomb, torpedo, or similar weapon, designed and 1184
manufactured for military purposes, and the ammunition for that 1185
weapon; 1186

(5) Any firearm muffler or suppressor; 1187

(6) Any combination of parts that is intended by the owner 1188
for use in converting any firearm or other device into a 1189
dangerous ordnance. 1190

(L) "Dangerous ordnance" does not include any of the 1191

following: 1192

(1) Any firearm, including a military weapon and the 1193
ammunition for that weapon, and regardless of its actual age, 1194
that employs a percussion cap or other obsolete ignition system, 1195
or that is designed and safe for use only with black powder; 1196

(2) Any pistol, rifle, or shotgun, designed or suitable 1197
for sporting purposes, including a military weapon as issued or 1198
as modified, and the ammunition for that weapon, unless the 1199
firearm is an automatic or sawed-off firearm; 1200

(3) Any cannon or other artillery piece that, regardless 1201
of its actual age, is of a type in accepted use prior to 1887, 1202
has no mechanical, hydraulic, pneumatic, or other system for 1203
absorbing recoil and returning the tube into battery without 1204
displacing the carriage, and is designed and safe for use only 1205
with black powder; 1206

(4) Black powder, priming quills, and percussion caps 1207
possessed and lawfully used to fire a cannon of a type defined 1208
in division (L) (3) of this section during displays, 1209
celebrations, organized matches or shoots, and target practice, 1210
and smokeless and black powder, primers, and percussion caps 1211
possessed and lawfully used as a propellant or ignition device 1212
in small-arms or small-arms ammunition; 1213

(5) Dangerous ordnance that is inoperable or inert and 1214
cannot readily be rendered operable or activated, and that is 1215
kept as a trophy, souvenir, curio, or museum piece; 1216

(6) Any device that is expressly excepted from the 1217
definition of a destructive device pursuant to the "Gun Control 1218
Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a) (4), as amended, 1219
and regulations issued under that act; 1220

(7) Any firearm with an overall length of at least twenty- 1221
six inches that is approved for sale by the federal bureau of 1222
alcohol, tobacco, firearms, and explosives under the "Gun 1223
Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(3), but 1224
that is found by the bureau not to be regulated under the 1225
"National Firearms Act," 68A Stat. 725 (1934), 26 U.S.C. 1226
5845(a). 1227

(M) "Explosive" means any chemical compound, mixture, or 1228
device, the primary or common purpose of which is to function by 1229
explosion. "Explosive" includes all materials that have been 1230
classified as division 1.1, division 1.2, division 1.3, or 1231
division 1.4 explosives by the United States department of 1232
transportation in its regulations and includes, but is not 1233
limited to, dynamite, black powder, pellet powders, initiating 1234
explosives, blasting caps, electric blasting caps, safety fuses, 1235
fuse igniters, squibs, cordeau detonant fuses, instantaneous 1236
fuses, and igniter cords and igniters. "Explosive" does not 1237
include "fireworks," as defined in section 3743.01 of the 1238
Revised Code, or any substance or material otherwise meeting the 1239
definition of explosive set forth in this section that is 1240
manufactured, sold, possessed, transported, stored, or used in 1241
any activity described in section 3743.80 of the Revised Code, 1242
provided the activity is conducted in accordance with all 1243
applicable laws, rules, and regulations, including, but not 1244
limited to, the provisions of section 3743.80 of the Revised 1245
Code and the rules of the fire marshal adopted pursuant to 1246
section 3737.82 of the Revised Code. 1247

(N) (1) "Concealed handgun license" or "license to carry a 1248
concealed handgun" means, subject to division (N) (2) of this 1249
section, a license or temporary emergency license to carry a 1250
concealed handgun issued under section 2923.125 or 2923.1213 of 1251

the Revised Code or a license to carry a concealed handgun 1252
issued by another state with which the attorney general has 1253
entered into a reciprocity agreement under section 109.69 of the 1254
Revised Code. 1255

(2) A reference in any provision of the Revised Code to a 1256
concealed handgun license issued under section 2923.125 of the 1257
Revised Code or a license to carry a concealed handgun issued 1258
under section 2923.125 of the Revised Code means only a license 1259
of the type that is specified in that section. A reference in 1260
any provision of the Revised Code to a concealed handgun license 1261
issued under section 2923.1213 of the Revised Code, a license to 1262
carry a concealed handgun issued under section 2923.1213 of the 1263
Revised Code, or a license to carry a concealed handgun on a 1264
temporary emergency basis means only a license of the type that 1265
is specified in section 2923.1213 of the Revised Code. A 1266
reference in any provision of the Revised Code to a concealed 1267
handgun license issued by another state or a license to carry a 1268
concealed handgun issued by another state means only a license 1269
issued by another state with which the attorney general has 1270
entered into a reciprocity agreement under section 109.69 of the 1271
Revised Code. 1272

(O) "Valid concealed handgun license" or "valid license to 1273
carry a concealed handgun" means a concealed handgun license 1274
that is currently valid, that is not under a suspension under 1275
division (A) (1) or (3) of section 2923.128 of the Revised Code, 1276
under section 2923.1213 of the Revised Code, or under a 1277
suspension provision of the state other than this state in which 1278
the license was issued, and that has not been revoked under 1279
division (B) (1) of section 2923.128 of the Revised Code, under 1280
section 2923.1213 of the Revised Code, or under a revocation 1281
provision of the state other than this state in which the 1282

license was issued.	1283
(P) "Misdemeanor punishable by imprisonment for a term exceeding one year" does not include any of the following:	1284 1285
(1) Any federal or state offense pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices;	1286 1287 1288 1289
(2) Any misdemeanor offense punishable by a term of imprisonment of two years or less.	1290 1291
(Q) "Alien registration number" means the number issued by the United States citizenship and immigration services agency that is located on the alien's permanent resident card and may also be commonly referred to as the "USCIS number" or the "alien number."	1292 1293 1294 1295 1296
(R) "Active duty" has the same meaning as defined in 10 U.S.C. 101.	1297 1298
Sec. 2923.125. It is the intent of the general assembly that Ohio concealed handgun license law be compliant with the national instant criminal background check system, that the bureau of alcohol, tobacco, firearms, and explosives is able to determine that Ohio law is compliant with the national instant criminal background check system, and that no person shall be eligible to receive a concealed handgun license permit under section 2923.125 or 2923.1213 of the Revised Code unless the person is eligible lawfully to receive or possess a firearm in the United States.	1299 1300 1301 1302 1303 1304 1305 1306 1307 1308
(A) This section applies with respect to the application for and issuance by this state of concealed handgun licenses other than concealed handgun licenses on a temporary emergency	1309 1310 1311

basis that are issued under section 2923.1213 of the Revised Code. Upon the request of a person who wishes to obtain a concealed handgun license with respect to which this section applies or to renew a concealed handgun license with respect to which this section applies, a sheriff, as provided in division (I) of this section, shall provide to the person free of charge an application form and the web site address at which a printable version of the application form that can be downloaded and the pamphlet described in division (B) of section 109.731 of the Revised Code may be found. A sheriff shall accept a completed application form and the fee, items, materials, and information specified in divisions (B) (1) to (5) of this section at the times and in the manners described in division (I) of this section.

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

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

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

(ii) For an applicant who has been a resident of this 1342
state for less than five years or who is not a resident of this 1343
state, but who is employed in this state, a fee of sixty-seven 1344
dollars plus the actual cost of having a background check 1345
performed by the federal bureau of investigation. 1346

(b) No sheriff shall require an applicant to pay for the 1347
cost of a background check performed by the bureau of criminal 1348
identification and investigation. 1349

(c) A sheriff shall waive the payment of the license fee 1350
described in division (B) (1) (a) of this section in connection 1351
with an initial or renewal application for a license that is 1352
submitted by an applicant who is an active or reserve member of 1353
the armed forces of the United States or has retired from or was 1354
honorably discharged from military service in the active or 1355
reserve armed forces of the United States, a retired peace 1356
officer, a retired person described in division (B) (1) (b) of 1357
section 109.77 of the Revised Code, or a retired federal law 1358
enforcement officer who, prior to retirement, was authorized 1359
under federal law to carry a firearm in the course of duty, 1360
unless the retired peace officer, person, or federal law 1361
enforcement officer retired as the result of a mental 1362
disability. 1363

(d) The sheriff shall deposit all fees paid by an 1364
applicant under division (B) (1) (a) of this section into the 1365
sheriff's concealed handgun license issuance fund established 1366
pursuant to section 311.42 of the Revised Code. The county shall 1367
distribute the fees in accordance with section 311.42 of the 1368
Revised Code. 1369

(2) A color photograph of the applicant that was taken 1370
within thirty days prior to the date of the application; 1371

(3) One or more of the following competency 1372
certifications, each of which shall reflect that, regarding a 1373
certification described in division (B)(3)(a), (b), (c), (e), or 1374
(f) of this section, within the three years immediately 1375
preceding the application the applicant has performed that to 1376
which the competency certification relates and that, regarding a 1377
certification described in division (B)(3)(d) of this section, 1378
the applicant currently is an active or reserve member of the 1379
armed forces of the United States, the applicant has retired 1380
from or was honorably discharged from military service in the 1381
active or reserve armed forces of the United States, or within 1382
the ten years immediately preceding the application the 1383
retirement of the peace officer, person described in division 1384
(B)(1)(b) of section 109.77 of the Revised Code, or federal law 1385
enforcement officer to which the competency certification 1386
relates occurred: 1387

(a) An original or photocopy of a certificate of 1388
completion of a firearms safety, training, or requalification or 1389
firearms safety instructor course, class, or program that was 1390
offered by or under the auspices of a national gun advocacy 1391
organization and that complies with the requirements set forth 1392
in division (G) of this section; 1393

(b) An original or photocopy of a certificate of 1394
completion of a firearms safety, training, or requalification or 1395
firearms safety instructor course, class, or program that 1396
satisfies all of the following criteria: 1397

(i) It was open to members of the general public. 1398

(ii) It utilized qualified instructors who were certified 1399
by a national gun advocacy organization, the executive director 1400
of the Ohio peace officer training commission pursuant to 1401

section 109.75 or 109.78 of the Revised Code, or a governmental 1402
official or entity of another state. 1403

(iii) It was offered by or under the auspices of a law 1404
enforcement agency of this or another state or the United 1405
States, a public or private college, university, or other 1406
similar postsecondary educational institution located in this or 1407
another state, a firearms training school located in this or 1408
another state, or another type of public or private entity or 1409
organization located in this or another state. 1410

(iv) It complies with the requirements set forth in 1411
division (G) of this section. 1412

(c) An original or photocopy of a certificate of 1413
completion of a state, county, municipal, or department of 1414
natural resources peace officer training school that is approved 1415
by the executive director of the Ohio peace officer training 1416
commission pursuant to section 109.75 of the Revised Code and 1417
that complies with the requirements set forth in division (G) of 1418
this section, or the applicant has satisfactorily completed and 1419
been issued a certificate of completion of a basic firearms 1420
training program, a firearms requalification training program, 1421
or another basic training program described in section 109.78 or 1422
109.801 of the Revised Code that complies with the requirements 1423
set forth in division (G) of this section; 1424

(d) A document that evidences both of the following: 1425

(i) That the applicant is an active or reserve member of 1426
the armed forces of the United States, has retired from or was 1427
honorably discharged from military service in the active or 1428
reserve armed forces of the United States, is a retired trooper 1429
of the state highway patrol, or is a retired peace officer or 1430

federal law enforcement officer described in division (B) (1) of 1431
this section or a retired person described in division (B) (1) (b) 1432
of section 109.77 of the Revised Code and division (B) (1) of 1433
this section; 1434

(ii) That, through participation in the military service 1435
or through the former employment described in division (B) (3) (d) 1436
(i) of this section, the applicant acquired experience with 1437
handling handguns or other firearms, and the experience so 1438
acquired was equivalent to training that the applicant could 1439
have acquired in a course, class, or program described in 1440
division (B) (3) (a), (b), or (c) of this section. 1441

(e) A certificate or another similar document that 1442
evidences satisfactory completion of a firearms training, 1443
safety, or requalification or firearms safety instructor course, 1444
class, or program that is not otherwise described in division 1445
(B) (3) (a), (b), (c), or (d) of this section, that was conducted 1446
by an instructor who was certified by an official or entity of 1447
the government of this or another state or the United States or 1448
by a national gun advocacy organization, and that complies with 1449
the requirements set forth in division (G) of this section; 1450

(f) An affidavit that attests to the applicant's 1451
satisfactory completion of a course, class, or program described 1452
in division (B) (3) (a), (b), (c), or (e) of this section and that 1453
is subscribed by the applicant's instructor or an authorized 1454
representative of the entity that offered the course, class, or 1455
program or under whose auspices the course, class, or program 1456
was offered; 1457

(g) A document that evidences that the applicant has 1458
successfully completed the Ohio peace officer training program 1459
described in section 109.79 of the Revised Code. 1460

(4) A certification by the applicant that the applicant 1461
has read the pamphlet prepared by the Ohio peace officer 1462
training commission pursuant to section 109.731 of the Revised 1463
Code that reviews firearms, dispute resolution, and use of 1464
deadly force matters. 1465

(5) A set of fingerprints of the applicant provided as 1466
described in section 311.41 of the Revised Code through use of 1467
an electronic fingerprint reading device or, if the sheriff to 1468
whom the application is submitted does not possess and does not 1469
have ready access to the use of such a reading device, on a 1470
standard impression sheet prescribed pursuant to division (C) (2) 1471
of section 109.572 of the Revised Code. 1472

(6) If the applicant is not a citizen or national of the 1473
United States, the name of the applicant's country of 1474
citizenship and the applicant's alien registration number issued 1475
by the United States citizenship and immigration services 1476
agency. 1477

(7) If the applicant resides in another state, adequate 1478
proof of employment in Ohio. 1479

(C) Upon receipt of the completed application form, 1480
supporting documentation, and, if not waived, license fee of an 1481
applicant under this section, a sheriff, in the manner specified 1482
in section 311.41 of the Revised Code, shall conduct or cause to 1483
be conducted the criminal records check and the incompetency 1484
records check described in section 311.41 of the Revised Code. 1485

(D) (1) Except as provided in division (D) (3) of this 1486
section, within forty-five days after a sheriff's receipt of an 1487
applicant's completed application form for a concealed handgun 1488
license under this section, the supporting documentation, and, 1489

if not waived, the license fee, the sheriff shall make available 1490
through the law enforcement automated data system in accordance 1491
with division (H) of this section the information described in 1492
that division and, upon making the information available through 1493
the system, shall issue to the applicant a concealed handgun 1494
license that shall expire as described in division (D) (2) (a) of 1495
this section if all of the following apply: 1496

(a) The applicant is legally living in the United States. 1497
For purposes of division (D) (1) (a) of this section, if a person 1498
is absent from the United States in compliance with military or 1499
naval orders as an active or reserve member of the armed forces 1500
of the United States and if prior to leaving the United States 1501
the person was legally living in the United States, the person, 1502
solely by reason of that absence, shall not be considered to 1503
have lost the person's status as living in the United States. 1504

(b) The applicant is at least twenty-one years of age. 1505

(c) The applicant is not a fugitive from justice. 1506

(d) The applicant is not under indictment for or otherwise 1507
charged with a felony; an offense under Chapter 2925., 3719., or 1508
4729. of the Revised Code that involves the illegal possession, 1509
use, sale, administration, or distribution of or trafficking in 1510
a drug of abuse; a misdemeanor offense of violence; or a 1511
violation of section 2903.14 or 2923.1211 of the Revised Code. 1512

(e) Except as otherwise provided in division (D) (4) or (5) 1513
of this section, the applicant has not been convicted of or 1514
pleaded guilty to a felony or an offense under Chapter 2925., 1515
3719., or 4729. of the Revised Code that involves the illegal 1516
possession, use, sale, administration, or distribution of or 1517
trafficking in a drug of abuse; has not been adjudicated a 1518

delinquent child for committing an act that if committed by an 1519
adult would be a felony or would be an offense under Chapter 1520
2925., 3719., or 4729. of the Revised Code that involves the 1521
illegal possession, use, sale, administration, or distribution 1522
of or trafficking in a drug of abuse; has not been convicted of, 1523
pleaded guilty to, or adjudicated a delinquent child for 1524
committing a violation of section 2903.13 of the Revised Code 1525
when the victim of the violation is a peace officer, regardless 1526
of whether the applicant was sentenced under division ~~(C) (4)~~ (C) 1527
(5) or (6) of that section; and has not been convicted of, 1528
pleaded guilty to, or adjudicated a delinquent child for 1529
committing any other offense that is not previously described in 1530
this division that is a misdemeanor punishable by imprisonment 1531
for a term exceeding one year. 1532

(f) Except as otherwise provided in division (D) (4) or (5) 1533
of this section, the applicant, within three years of the date 1534
of the application, has not been convicted of or pleaded guilty 1535
to a misdemeanor offense of violence other than a misdemeanor 1536
violation of section 2921.33 of the Revised Code or a violation 1537
of section 2903.13 of the Revised Code when the victim of the 1538
violation is a peace officer, or a misdemeanor violation of 1539
section 2923.1211 of the Revised Code; and has not been 1540
adjudicated a delinquent child for committing an act that if 1541
committed by an adult would be a misdemeanor offense of violence 1542
other than a misdemeanor violation of section 2921.33 of the 1543
Revised Code or a violation of section 2903.13 of the Revised 1544
Code when the victim of the violation is a peace officer or for 1545
committing an act that if committed by an adult would be a 1546
misdemeanor violation of section 2923.1211 of the Revised Code. 1547

(g) Except as otherwise provided in division (D) (1) (e) of 1548
this section, the applicant, within five years of the date of 1549

the application, has not been convicted of, pleaded guilty to, 1550
or adjudicated a delinquent child for committing two or more 1551
violations of section 2903.13 or 2903.14 of the Revised Code. 1552

(h) Except as otherwise provided in division (D)(4) or (5) 1553
of this section, the applicant, within ten years of the date of 1554
the application, has not been convicted of, pleaded guilty to, 1555
or adjudicated a delinquent child for committing a violation of 1556
section 2921.33 of the Revised Code. 1557

(i) The applicant has not been committed to any mental 1558
institution, is not under adjudication of mental incompetence, 1559
has not been found by a court to be a person with a mental 1560
illness subject to court order, and is not an involuntary 1561
patient other than one who is a patient only for purposes of 1562
observation. As used in this division, "person with a mental 1563
illness subject to court order" and "patient" have the same 1564
meanings as in section 5122.01 of the Revised Code. 1565

(j) The applicant is not currently subject to a civil 1566
protection order, a temporary protection order, or a protection 1567
order issued by a court of another state. 1568

(k) The applicant certifies that the applicant desires a 1569
legal means to carry a concealed handgun for defense of the 1570
applicant or a member of the applicant's family while engaged in 1571
lawful activity. 1572

(l) The applicant submits a competency certification of 1573
the type described in division (B)(3) of this section and 1574
submits a certification of the type described in division (B)(4) 1575
of this section regarding the applicant's reading of the 1576
pamphlet prepared by the Ohio peace officer training commission 1577
pursuant to section 109.731 of the Revised Code. 1578

(m) The applicant currently is not subject to a suspension 1579
imposed under division (A) (2) of section 2923.128 of the Revised 1580
Code of a concealed handgun license that previously was issued 1581
to the applicant under this section or section 2923.1213 of the 1582
Revised Code or a similar suspension imposed by another state 1583
regarding a concealed handgun license issued by that state. 1584

(n) If the applicant resides in another state, the 1585
applicant is employed in this state. 1586

(o) The applicant certifies that the applicant is not an 1587
unlawful user of or addicted to any controlled substance as 1588
defined in 21 U.S.C. 802. 1589

(p) If the applicant is not a United States citizen, the 1590
applicant is an alien and has not been admitted to the United 1591
States under a nonimmigrant visa, as defined in the "Immigration 1592
and Nationality Act," 8 U.S.C. 1101(a) (26). 1593

(q) The applicant has not been discharged from the armed 1594
forces of the United States under dishonorable conditions. 1595

(r) The applicant certifies that the applicant has not 1596
renounced the applicant's United States citizenship, if 1597
applicable. 1598

(s) The applicant has not been convicted of, pleaded 1599
guilty to, or adjudicated a delinquent child for committing a 1600
violation of section 2919.25 of the Revised Code or a similar 1601
violation in another state. 1602

(t) The applicant is not enrolled in the do not possess 1603
firearms registry created under section 2923.22 of the Revised 1604
Code. 1605

(2) (a) A concealed handgun license that a sheriff issues 1606

under division (D)(1) of this section shall expire five years 1607
after the date of issuance. 1608

If a sheriff issues a license under this section, the 1609
sheriff shall place on the license a unique combination of 1610
letters and numbers identifying the license in accordance with 1611
the procedure prescribed by the Ohio peace officer training 1612
commission pursuant to section 109.731 of the Revised Code. 1613

(b) If a sheriff denies an application under this section 1614
because the applicant does not satisfy the criteria described in 1615
division (D)(1) of this section, the sheriff shall specify the 1616
grounds for the denial in a written notice to the applicant. The 1617
applicant may appeal the denial pursuant to section 119.12 of 1618
the Revised Code in the county served by the sheriff who denied 1619
the application. If the denial was as a result of the criminal 1620
records check conducted pursuant to section 311.41 of the 1621
Revised Code and if, pursuant to section 2923.127 of the Revised 1622
Code, the applicant challenges the criminal records check 1623
results using the appropriate challenge and review procedure 1624
specified in that section, the time for filing the appeal 1625
pursuant to section 119.12 of the Revised Code and this division 1626
is tolled during the pendency of the request or the challenge 1627
and review. 1628

(c) If the court in an appeal under section 119.12 of the 1629
Revised Code and division (D)(2)(b) of this section enters a 1630
judgment sustaining the sheriff's refusal to grant to the 1631
applicant a concealed handgun license, the applicant may file a 1632
new application beginning one year after the judgment is 1633
entered. If the court enters a judgment in favor of the 1634
applicant, that judgment shall not restrict the authority of a 1635
sheriff to suspend or revoke the license pursuant to section 1636

2923.128 or 2923.1213 of the Revised Code or to refuse to renew 1637
the license for any proper cause that may occur after the date 1638
the judgment is entered. In the appeal, the court shall have 1639
full power to dispose of all costs. 1640

(3) If the sheriff with whom an application for a 1641
concealed handgun license was filed under this section becomes 1642
aware that the applicant has been arrested for or otherwise 1643
charged with an offense that would disqualify the applicant from 1644
holding the license, the sheriff shall suspend the processing of 1645
the application until the disposition of the case arising from 1646
the arrest or charge. 1647

(4) If an applicant has been convicted of or pleaded 1648
guilty to an offense identified in division (D)(1)(e), (f), or 1649
(h) of this section or has been adjudicated a delinquent child 1650
for committing an act or violation identified in any of those 1651
divisions, and if a court has ordered the sealing or expungement 1652
of the records of that conviction, guilty plea, or adjudication 1653
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 1654
2953.35, or section 2953.39 of the Revised Code or the applicant 1655
has been relieved under operation of law or legal process from 1656
the disability imposed pursuant to section 2923.13 of the 1657
Revised Code relative to that conviction, guilty plea, or 1658
adjudication, the sheriff with whom the application was 1659
submitted shall not consider the conviction, guilty plea, or 1660
adjudication in making a determination under division (D)(1) or 1661
(F) of this section or, in relation to an application for a 1662
concealed handgun license on a temporary emergency basis 1663
submitted under section 2923.1213 of the Revised Code, in making 1664
a determination under division (B)(2) of that section. 1665

(5) If an applicant has been convicted of or pleaded 1666

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

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

(F)(1)(a) Except as provided in division (F)(1)(b) of this section, a licensee who wishes to renew a concealed handgun license issued under this section may do so at any time before the expiration date of the license or at any time after the expiration date of the license by filing with the sheriff of the county in which the applicant resides or with the sheriff of an adjacent county, or in the case of an applicant who resides in another state with the sheriff of the county that issued the applicant's previous concealed handgun license an application for renewal of the license obtained pursuant to division (D) of this section, a certification by the applicant that, subsequent to the issuance of the license, the applicant has reread the

pamphlet prepared by the Ohio peace officer training commission 1698
pursuant to section 109.731 of the Revised Code that reviews 1699
firearms, dispute resolution, and use of deadly force matters, 1700
and a nonrefundable license renewal fee in an amount determined 1701
pursuant to division (F) (4) of this section unless the fee is 1702
waived. 1703

(b) A person on active duty in the armed forces of the 1704
United States or in service with the peace corps, volunteers in 1705
service to America, or the foreign service of the United States 1706
is exempt from the license requirements of this section for the 1707
period of the person's active duty or service and for six months 1708
thereafter, provided the person was a licensee under this 1709
section at the time the person commenced the person's active 1710
duty or service or had obtained a license while on active duty 1711
or service. The spouse or a dependent of any such person on 1712
active duty or in service also is exempt from the license 1713
requirements of this section for the period of the person's 1714
active duty or service and for six months thereafter, provided 1715
the spouse or dependent was a licensee under this section at the 1716
time the person commenced the active duty or service or had 1717
obtained a license while the person was on active duty or 1718
service, and provided further that the person's active duty or 1719
service resulted in the spouse or dependent relocating outside 1720
of this state during the period of the active duty or service. 1721
This division does not prevent such a person or the person's 1722
spouse or dependent from making an application for the renewal 1723
of a concealed handgun license during the period of the person's 1724
active duty or service. 1725

(2) A sheriff shall accept a completed renewal 1726
application, the license renewal fee, and the information 1727
specified in division (F) (1) of this section at the times and in 1728

the manners described in division (I) of this section. Upon 1729
receipt of a completed renewal application, of certification 1730
that the applicant has reread the specified pamphlet prepared by 1731
the Ohio peace officer training commission, and of a license 1732
renewal fee unless the fee is waived, a sheriff, in the manner 1733
specified in section 311.41 of the Revised Code shall conduct or 1734
cause to be conducted the criminal records check and the 1735
incompetency records check described in section 311.41 of the 1736
Revised Code. The sheriff shall renew the license if the sheriff 1737
determines that the applicant continues to satisfy the 1738
requirements described in division (D) (1) of this section, 1739
except that the applicant is not required to meet the 1740
requirements of division (D) (1) (1) of this section. A renewed 1741
license shall expire five years after the date of issuance. A 1742
renewed license is subject to division (E) of this section and 1743
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 1744
shall comply with divisions (D) (2) and (3) of this section when 1745
the circumstances described in those divisions apply to a 1746
requested license renewal. If a sheriff denies the renewal of a 1747
concealed handgun license, the applicant may appeal the denial, 1748
or challenge the criminal record check results that were the 1749
basis of the denial if applicable, in the same manner as 1750
specified in division (D) (2) (b) of this section and in section 1751
2923.127 of the Revised Code, regarding the denial of a license 1752
under this section. 1753

(3) A renewal application submitted pursuant to division 1754
(F) of this section shall only require the licensee to list on 1755
the application form information and matters occurring since the 1756
date of the licensee's last application for a license pursuant 1757
to division (B) or (F) of this section. A sheriff conducting the 1758
criminal records check and the incompetency records check 1759

described in section 311.41 of the Revised Code shall conduct 1760
the check only from the date of the licensee's last application 1761
for a license pursuant to division (B) or (F) of this section 1762
through the date of the renewal application submitted pursuant 1763
to division (F) of this section. 1764

(4) An applicant for a renewal concealed handgun license 1765
under this section shall submit to the sheriff of the county in 1766
which the applicant resides or to the sheriff of any county 1767
adjacent to the county in which the applicant resides, or in the 1768
case of an applicant who resides in another state to the sheriff 1769
of the county that issued the applicant's previous concealed 1770
handgun license, a nonrefundable license fee as described in 1771
either of the following: 1772

(a) For an applicant who has been a resident of this state 1773
for five or more years, a fee of fifty dollars; 1774

(b) For an applicant who has been a resident of this state 1775
for less than five years or who is not a resident of this state 1776
but who is employed in this state, a fee of fifty dollars plus 1777
the actual cost of having a background check performed by the 1778
federal bureau of investigation. 1779

(5) The concealed handgun license of a licensee who is no 1780
longer a resident of this state or no longer employed in this 1781
state, as applicable, is valid until the date of expiration on 1782
the license, and the licensee is prohibited from renewing the 1783
concealed handgun license. 1784

(G) (1) Each course, class, or program described in 1785
division (B) (3) (a), (b), (c), or (e) of this section shall 1786
provide to each person who takes the course, class, or program 1787
the web site address at which the pamphlet prepared by the Ohio 1788

peace officer training commission pursuant to section 109.731 of 1789
the Revised Code that reviews firearms, dispute resolution, and 1790
use of deadly force matters may be found. Each such course, 1791
class, or program described in one of those divisions shall 1792
include at least eight hours of training in the safe handling 1793
and use of a firearm that shall include training, provided as 1794
described in division (G) (3) of this section, on all of the 1795
following: 1796

(a) The ability to name, explain, and demonstrate the 1797
rules for safe handling of a handgun and proper storage 1798
practices for handguns and ammunition; 1799

(b) The ability to demonstrate and explain how to handle 1800
ammunition in a safe manner; 1801

(c) The ability to demonstrate the knowledge, skills, and 1802
attitude necessary to shoot a handgun in a safe manner; 1803

(d) Gun handling training; 1804

(e) A minimum of two hours of in-person training that 1805
consists of range time and live-fire training. 1806

(2) To satisfactorily complete the course, class, or 1807
program described in division (B) (3) (a), (b), (c), or (e) of 1808
this section, the applicant shall pass a competency examination 1809
that shall include both of the following: 1810

(a) A written section, provided as described in division 1811
(G) (3) of this section, on the ability to name and explain the 1812
rules for the safe handling of a handgun and proper storage 1813
practices for handguns and ammunition; 1814

(b) An in-person physical demonstration of competence in 1815
the use of a handgun and in the rules for safe handling and 1816

storage of a handgun and a physical demonstration of the 1817
attitude necessary to shoot a handgun in a safe manner. 1818

(3) (a) Except as otherwise provided in this division, the 1819
training specified in division (G) (1) (a) of this section shall 1820
be provided to the person receiving the training in person by an 1821
instructor. If the training specified in division (G) (1) (a) of 1822
this section is provided by a course, class, or program 1823
described in division (B) (3) (a) of this section, or it is 1824
provided by a course, class, or program described in division 1825
(B) (3) (b), (c), or (e) of this section and the instructor is a 1826
qualified instructor certified by a national gun advocacy 1827
organization, the training so specified, other than the training 1828
that requires the person receiving the training to demonstrate 1829
handling abilities, may be provided online or as a combination 1830
of in-person and online training, as long as the online training 1831
includes an interactive component that regularly engages the 1832
person. 1833

(b) Except as otherwise provided in this division, the 1834
written section of the competency examination specified in 1835
division (G) (2) (a) of this section shall be administered to the 1836
person taking the competency examination in person by an 1837
instructor. If the training specified in division (G) (1) (a) of 1838
this section is provided to the person receiving the training by 1839
a course, class, or program described in division (B) (3) (a) of 1840
this section, or it is provided by a course, class, or program 1841
described in division (B) (3) (b), (c), or (e) of this section and 1842
the instructor is a qualified instructor certified by a national 1843
gun advocacy organization, the written section of the competency 1844
examination specified in division (G) (2) (a) of this section may 1845
be administered online, as long as the online training includes 1846
an interactive component that regularly engages the person. 1847

(4) The competency certification described in division (B) 1848
(3) (a), (b), (c), or (e) of this section shall be dated and 1849
shall attest that the course, class, or program the applicant 1850
successfully completed met the requirements described in 1851
division (G) (1) of this section and that the applicant passed 1852
the competency examination described in division (G) (2) of this 1853
section. 1854

(H) Upon deciding to issue a concealed handgun license, 1855
deciding to issue a replacement concealed handgun license, or 1856
deciding to renew a concealed handgun license pursuant to this 1857
section, and before actually issuing or renewing the license, 1858
the sheriff shall make available through the law enforcement 1859
automated data system all information contained on the license. 1860
If the license subsequently is suspended under division (A) (1)– 1861
~~or~~, (2), or (3) of section 2923.128 of the Revised Code, revoked 1862
pursuant to division (B) (1) of section 2923.128 of the Revised 1863
Code, or lost or destroyed, the sheriff also shall make 1864
available through the law enforcement automated data system a 1865
notation of that fact. The superintendent of the state highway 1866
patrol shall ensure that the law enforcement automated data 1867
system is so configured as to permit the transmission through 1868
the system of the information specified in this division. 1869

(I) (1) A sheriff shall accept a completed application form 1870
or renewal application, and the fee, items, materials, and 1871
information specified in divisions (B) (1) to (5) or division (F) 1872
of this section, whichever is applicable, and shall provide an 1873
application form or renewal application to any person during at 1874
least fifteen hours a week and shall provide the web site 1875
address at which a printable version of the application form 1876
that can be downloaded and the pamphlet described in division 1877
(B) of section 109.731 of the Revised Code may be found at any 1878

time, upon request. The sheriff shall post notice of the hours 1879
during which the sheriff is available to accept or provide the 1880
information described in this division. 1881

(2) A sheriff shall transmit a notice to the attorney 1882
general, in a manner determined by the attorney general, every 1883
time a license is issued that waived payment under division (B) 1884
(1) (c) of this section for an applicant who is an active or 1885
reserve member of the armed forces of the United States or has 1886
retired from or was honorably discharged from military service 1887
in the active or reserve armed forces of the United States. The 1888
attorney general shall monitor and inform sheriffs issuing 1889
licenses under this section when the amount of license fee 1890
payments waived and transmitted to the attorney general reach 1891
one million five hundred thousand dollars each year. Once a 1892
sheriff is informed that the payments waived reached one million 1893
five hundred thousand dollars in any year, a sheriff shall no 1894
longer waive payment of a license fee for an applicant who is an 1895
active or reserve member of the armed forces of the United 1896
States or has retired from or was honorably discharged from 1897
military service in the active or reserve armed forces of the 1898
United States for the remainder of that year. 1899

Sec. 2923.128. (A) (1) (a) If a licensee holding a valid 1900
concealed handgun license is arrested for or otherwise charged 1901
with an offense described in division (D) (1) (d) of section 1902
2923.125 of the Revised Code or with a violation of section 1903
2923.15 of the Revised Code or becomes subject to a temporary 1904
protection order or to a protection order issued by a court of 1905
another state that is substantially equivalent to a temporary 1906
protection order, the sheriff who issued the license shall 1907
suspend it and shall comply with division ~~(A) (3)~~ (A) (4) of this 1908
section upon becoming aware of the arrest, charge, or protection 1909

order. Upon suspending the license, the sheriff also shall 1910
comply with division (H) of section 2923.125 of the Revised 1911
Code. 1912

(b) A suspension under division (A) (1) (a) of this section 1913
shall be considered as beginning on the date that the licensee 1914
is arrested for or otherwise charged with an offense described 1915
in that division or on the date the appropriate court issued the 1916
protection order described in that division, irrespective of 1917
when the sheriff notifies the licensee under division ~~(A) (3)~~ (A) 1918
(4) of this section. The suspension shall end on the date on 1919
which the charges are dismissed or the licensee is found not 1920
guilty of the offense described in division (A) (1) (a) of this 1921
section or, subject to division (B) of this section, on the date 1922
the appropriate court terminates the protection order described 1923
in that division. If the suspension so ends, the sheriff shall 1924
return the license or temporary emergency license to the 1925
licensee. 1926

(2) (a) If a licensee holding a valid concealed handgun 1927
license is convicted of or pleads guilty to a misdemeanor 1928
violation of division (B) (2) or (4) of section 2923.12 of the 1929
Revised Code or of division (E) (3) or (5) of section 2923.16 of 1930
the Revised Code, subject to division (C) of this section, the 1931
sheriff who issued the license shall suspend it and shall comply 1932
with division ~~(A) (3)~~ (A) (4) of this section upon becoming aware 1933
of the conviction or guilty plea. Upon suspending the license, 1934
the sheriff also shall comply with division (H) of section 1935
2923.125 of the Revised Code. 1936

(b) A suspension under division (A) (2) (a) of this section 1937
shall be considered as beginning on the date that the licensee 1938
is convicted of or pleads guilty to the offense described in 1939

that division, irrespective of when the sheriff notifies the
licensee under division ~~(A) (3)~~ (A) (4) of this section. If the
suspension is imposed for a misdemeanor violation of division
(B) (2) of section 2923.12 of the Revised Code or of division (E)
(3) of section 2923.16 of the Revised Code, it shall end on the
date that is one year after the date that the licensee is
convicted of or pleads guilty to that violation. If the
suspension is imposed for a misdemeanor violation of division
(B) (4) of section 2923.12 of the Revised Code or of division (E)
(5) of section 2923.16 of the Revised Code, it shall end on the
date that is two years after the date that the licensee is
convicted of or pleads guilty to that violation. If the
licensee's license was issued under section 2923.125 of the
Revised Code and the license remains valid after the suspension
ends as described in this division, when the suspension ends,
the sheriff shall return the license to the licensee. If the
licensee's license was issued under section 2923.125 of the
Revised Code and the license expires before the suspension ends
as described in this division, or if the licensee's license was
issued under section 2923.1213 of the Revised Code, the licensee
is not eligible to apply for a new license under section
2923.125 or 2923.1213 of the Revised Code or to renew the
license under section 2923.125 of the Revised Code until after
the suspension ends as described in this division.

~~(3)~~ (3) (a) If a licensee holding a valid concealed handgun
license is enrolled in the do not possess firearms registry
under section 2923.22 of the Revised Code, the sheriff who
issued the license shall suspend it and shall comply with
division (A) (4) of this section upon becoming aware of the
licensee's enrollment in the registry. Upon suspending the
license, the sheriff also shall comply with division (H) of

section 2923.125 of the Revised Code. 1971

(b) A suspension under division (A) (3) (a) of this section shall be considered as beginning on the date that the licensee is first enrolled in the do not possess firearms registry, irrespective of when the sheriff notifies the licensee under division (A) (4) of this section. The suspension shall end on the date on which the licensee is removed from the registry. If the suspension so ends, the sheriff shall return the license or temporary emergency license to the licensee. 1972
1973
1974
1975
1976
1977
1978
1979

(4) Upon becoming aware of an arrest, charge, or protection order described in division (A) (1) (a) of this section with respect to a licensee who was issued a concealed handgun license, or a conviction of or plea of guilty to a misdemeanor offense described in division (A) (2) (a) of this section with respect to a licensee who was issued a concealed handgun license, subject to division (C) of this section, or the enrollment of a licensee who was issued a concealed handgun license in the do not possess firearms registry, the sheriff who issued the licensee's license shall notify the licensee, by certified mail, return receipt requested, at the licensee's last known residence address that the license has been suspended and that the licensee is required to surrender the license at the sheriff's office within ten days of the date on which the notice was mailed. If the suspension is pursuant to division (A) (2) of this section, the notice shall identify the date on which the suspension ends. 1980
1981
1982
1983
1984
1985
1986
1987
1988
1989
1990
1991
1992
1993
1994
1995
1996

(B) (1) A sheriff who issues a concealed handgun license to a licensee shall revoke the license in accordance with division (B) (2) of this section upon becoming aware that the licensee satisfies any of the following: 1997
1998
1999
2000

(a) The licensee is under twenty-one years of age.	2001
(b) Subject to division (C) of this section, at the time of the issuance of the license, the licensee did not satisfy the eligibility requirements of division (D)(1)(c), (d), (e), (f), (g), or (h) of section 2923.125 of the Revised Code.	2002 2003 2004 2005
(c) Subject to division (C) of this section, on or after the date on which the license was issued, the licensee is convicted of or pleads guilty to a violation of section 2923.15 of the Revised Code or an offense described in division (D)(1)(e), (f), (g), or (h) of section 2923.125 of the Revised Code.	2006 2007 2008 2009 2010
(d) On or after the date on which the license was issued, the licensee becomes subject to a civil protection order or to a protection order issued by a court of another state that is substantially equivalent to a civil protection order.	2011 2012 2013 2014
(e) The licensee knowingly carries a concealed handgun into a place that the licensee knows is an unauthorized place specified in division (B) of section 2923.126 of the Revised Code.	2015 2016 2017 2018
(f) On or after the date on which the license was issued, the licensee is under adjudication of mental incompetence or is committed to a mental institution.	2019 2020 2021
(g) At the time of the issuance of the license, the licensee did not meet the residency requirements described in division (D)(1) of section 2923.125 of the Revised Code and currently does not meet the residency requirements described in that division.	2022 2023 2024 2025 2026
(h) Regarding a license issued under section 2923.125 of the Revised Code, the competency certificate the licensee submitted was forged or otherwise was fraudulent.	2027 2028 2029

(2) Upon becoming aware of any circumstance listed in 2030
division (B)(1) of this section that applies to a particular 2031
licensee who was issued a concealed handgun license, subject to 2032
division (C) of this section, the sheriff who issued the license 2033
to the licensee shall notify the licensee, by certified mail, 2034
return receipt requested, at the licensee's last known residence 2035
address that the license is subject to revocation and that the 2036
licensee may come to the sheriff's office and contest the 2037
sheriff's proposed revocation within fourteen days of the date 2038
on which the notice was mailed. After the fourteen-day period 2039
and after consideration of any information that the licensee 2040
provides during that period, if the sheriff determines on the 2041
basis of the information of which the sheriff is aware that the 2042
licensee is described in division (B)(1) of this section and no 2043
longer satisfies the requirements described in division (D)(1) 2044
of section 2923.125 of the Revised Code that are applicable to 2045
the licensee's type of license, the sheriff shall revoke the 2046
license, notify the licensee of that fact, and require the 2047
licensee to surrender the license. Upon revoking the license, 2048
the sheriff also shall comply with division (H) of section 2049
2923.125 of the Revised Code. 2050

(C) If a sheriff who issues a concealed handgun license to 2051
a licensee becomes aware that at the time of the issuance of the 2052
license the licensee had been convicted of or pleaded guilty to 2053
an offense identified in division (D)(1)(e), (f), or (h) of 2054
section 2923.125 of the Revised Code or had been adjudicated a 2055
delinquent child for committing an act or violation identified 2056
in any of those divisions or becomes aware that on or after the 2057
date on which the license was issued the licensee has been 2058
convicted of or pleaded guilty to an offense identified in 2059
division (A)(2)(a) or (B)(1)(c) of this section, the sheriff 2060

shall not consider that conviction, guilty plea, or adjudication 2061
as having occurred for purposes of divisions (A) (2), ~~(A) (3)~~ (A) 2062
(4), (B) (1), and (B) (2) of this section if a court has ordered 2063
the sealing or expungement of the records of that conviction, 2064
guilty plea, or adjudication pursuant to sections 2151.355 to 2065
2151.358, sections 2953.31 to 2953.35, or section 2953.39 of the 2066
Revised Code or the licensee has been relieved under operation 2067
of law or legal process from the disability imposed pursuant to 2068
section 2923.13 of the Revised Code relative to that conviction, 2069
guilty plea, or adjudication. 2070

(D) As used in this section, "motor carrier enforcement 2071
unit" has the same meaning as in section 2923.16 of the Revised 2072
Code. 2073

Sec. 2923.133. (A) As used in this section, "community 2074
service" has the same meaning as in section 3313.605 of the 2075
Revised Code. 2076

(B) No person who is enrolled in the do not possess 2077
firearms registry created under section 2923.22 of the Revised 2078
Code shall knowingly purchase, possess, or transport a firearm. 2079

(C) Whoever violates this section is subject to a civil 2080
fine of twenty-five dollars. The court may order the offender to 2081
perform community service in lieu of the civil fine. 2082

Sec. 2923.20. (A) No person shall do any of the following: 2083

(1) Recklessly sell, lend, give, or furnish any firearm to 2084
any person prohibited by section 2923.13 or 2923.15 of the 2085
Revised Code from acquiring or using any firearm, or recklessly 2086
sell, lend, give, or furnish any dangerous ordnance to any 2087
person prohibited by section 2923.13, 2923.15, or 2923.17 of the 2088
Revised Code from acquiring or using any dangerous ordnance; 2089

(2) Possess any firearm or dangerous ordnance with purpose to dispose of it in violation of division (A) of this section;	2090 2091
(3) Except as otherwise provided in division (B) of this section, knowingly solicit, persuade, encourage, or entice a federally licensed firearms dealer or private seller to transfer a firearm or ammunition to any person in a manner prohibited by state or federal law;	2092 2093 2094 2095 2096
(4) Except as otherwise provided in division (B) of this section, with an intent to deceive, knowingly provide materially false information to a federally licensed firearms dealer or private seller;	2097 2098 2099 2100
(5) Except as otherwise provided in division (B) of this section, knowingly procure, solicit, persuade, encourage, or entice a person to act in violation of division (A) (3) or (4) of this section;	2101 2102 2103 2104
(6) When transferring any dangerous ordnance to another, negligently fail to require the transferee to exhibit such identification, license, or permit showing the transferee to be authorized to acquire dangerous ordnance pursuant to section 2923.17 of the Revised Code, or negligently fail to take a complete record of the transaction and forthwith forward a copy of that record to the sheriff of the county or safety director or police chief of the municipality where the transaction takes place;	2105 2106 2107 2108 2109 2110 2111 2112 2113
(7) Knowingly fail to report to law enforcement authorities forthwith the loss or theft of any firearm or dangerous ordnance in the person's possession or under the person's control;	2114 2115 2116 2117
<u>(8) Knowingly sell, lend, give, or furnish any firearm to</u>	2118

<u>any person who is enrolled in the do not possess firearms</u>	2119
<u>registry under section 2923.22 of the Revised Code if the</u>	2120
<u>offender knows the person is enrolled in that registry.</u>	2121
(B) Divisions (A) (3), (4), and (5) of this section do not	2122
apply to any of the following:	2123
(1) A law enforcement officer who is acting within the	2124
scope of the officer's duties;	2125
(2) A person who is acting in accordance with directions	2126
given by a law enforcement officer described in division (B) (1)	2127
of this section.	2128
(C) Whoever violates this section is guilty of unlawful	2129
transactions in weapons. A violation of division (A) (1) or (2)	2130
of this section is a felony of the fourth degree. A violation of	2131
division (A) (3), (4), or (5) of this section is a felony of the	2132
third degree. A violation of division (A) (6) of this section is	2133
a misdemeanor of the second degree. A violation of division (A)	2134
(7) of this section is a misdemeanor of the fourth degree. <u>A</u>	2135
<u>violation of division (A) (8) of this section is a misdemeanor of</u>	2136
<u>the first degree.</u>	2137
(D) As used in this section:	2138
(1) "Ammunition" has the same meaning as in section	2139
2305.401 of the Revised Code.	2140
(2) "Federally licensed firearms dealer" has the same	2141
meaning as in section 5502.63 of the Revised Code.	2142
(3) "Materially false information" means information	2143
regarding the transfer of a firearm or ammunition that portrays	2144
an illegal transaction as legal or a legal transaction as	2145
illegal.	2146

(4) "Private seller" means a person who sells, offers for sale, or transfers a firearm or ammunition and who is not a federally licensed firearms dealer.

Sec. 2923.22. (A) As used in this section, "photo identification" means a document that meets each of the following requirements:

(1) It shows the name of the individual to whom it was issued.

(2) It shows the current address of the individual to whom it was issued.

(3) It shows a photograph of the individual to whom it was issued.

(4) It includes an expiration date that has not passed.

(5) It was issued by the government of the United States or this state.

(B) (1) Within six months after the effective date of this section, the attorney general shall establish a do not possess firearms registry to prohibit the possession, sale, or transportation of a firearm to any person who voluntarily registers the person's self to be enrolled in the registry. The attorney general shall maintain the registry and shall promulgate rules in accordance with Chapter 119. of the Revised Code for the implementation of the registry.

(2) The attorney general shall develop and distribute a form to every clerk of a court of record in this state and to the department of health, the department of mental health and addiction services, and the state medical board to allow individuals to register on the do not possess firearms registry

and a form by which a registered individual may request removal. 2175
The attorney general and the courts and agencies to which the 2176
form is distributed shall prominently display the form on the 2177
attorney general's, court's, or agency's web site. The form 2178
shall include, at a minimum, all of the following information: 2179

(a) Information on the thirty-day waiting period after 2180
initial registration onto the registry, as well as information 2181
on the twenty-one-day waiting period after a request for removal 2182
is received by the attorney general; 2183

(b) The legal ramifications of registration, including 2184
that registration may subject a person to laws of other states 2185
with analogous do not sell or do not possess lists or 2186
registries; 2187

(c) The requirement that a person registering on the do 2188
not possess firearms registry turn over any firearms in the 2189
person's possession to a law enforcement agency within forty- 2190
eight hours of registration and how to do so; 2191

(d) A space to indicate that the form was completed with 2192
assistance from a health care worker, mental health care worker, 2193
or social worker, and the name of the person providing that 2194
assistance to the person registering. 2195

(3) Within six months after the effective date of this 2196
section, the attorney general shall develop an online platform, 2197
accessible through the attorney general's web site, by which a 2198
person may register on the do not possess firearms registry. The 2199
online platform shall do all of the following: 2200

(a) Verify the identity of any person who registers or 2201
attempts to register; 2202

(b) Prevent unauthorized disclosure of the identity or of 2203

<u>any personally identifying information of any registering</u>	2204
<u>person;</u>	2205
<u>(c) Inform a person registering of the effects of</u>	2206
<u>registration;</u>	2207
<u>(d) Provide an option for the person registering to</u>	2208
<u>receive a hard copy of the completed registration form in</u>	2209
<u>writing by mail or electronic mail;</u>	2210
<u>(e) Provide an option to receive notification by mail or</u>	2211
<u>electronic mail of removal from the registry;</u>	2212
<u>(f) Provide information on how to relinquish a firearm to</u>	2213
<u>a law enforcement agency.</u>	2214
<u>(C) (1) A person may apply in writing to the attorney</u>	2215
<u>general to request voluntary enrollment in the do not possess</u>	2216
<u>firearms registry and, after being enrolled in the registry, may</u>	2217
<u>apply in writing to the attorney general to request removal from</u>	2218
<u>the registry.</u>	2219
<u>(2) The attorney general shall not remove a person</u>	2220
<u>enrolled in the registry from the registry until twenty-one days</u>	2221
<u>after the attorney general receives the person's application for</u>	2222
<u>removal from the registry.</u>	2223
<u>(3) A person submitting an application for enrollment in</u>	2224
<u>or removal from the do not possess firearms registry may submit</u>	2225
<u>that application to the attorney general by mail, via the online</u>	2226
<u>portal on the attorney general's web site, or in person to the</u>	2227
<u>office of the attorney general.</u>	2228
<u>(4) A person who submits an application to the attorney</u>	2229
<u>general for enrollment in or removal from the do not possess</u>	2230
<u>firearms registry shall include with the application a photocopy</u>	2231

or an electronic image of a valid form of photo identification. 2232

(5) (a) A person who has enrolled in the do not possess 2233
firearms registry may petition the court of common pleas of the 2234
county in which the person resides for removal prior to twenty- 2235
one days after the attorney general receives the person's 2236
application for removal from the registry in the person's county 2237
of residence. The person petitioning for removal shall show, by 2238
a preponderance of the evidence, that the person is not likely 2239
to act in a manner dangerous to public safety or to the person's 2240
self. Any public official or interested party may also present 2241
evidence during a proceeding under this division. 2242

(b) The court of common pleas of the county in which the 2243
person resides shall determine whether or not the person is 2244
likely to act in a manner dangerous to public safety or self not 2245
later than two court days following a proceeding under this 2246
division. The court shall immediately transmit notice of that 2247
determination to the attorney general. The attorney general 2248
shall remove a person from the registry, if directed to do so by 2249
the court, not later than twenty-four hours after receipt of 2250
that notice. 2251

(D) (1) On enrolling a person in the do not possess 2252
firearms registry, the attorney general shall forward the 2253
person's eligibility to purchase, possess, or transport a 2254
firearm to the national instant criminal background check system 2255
and shall notify the person by mail or electronic mail that the 2256
person is enrolled in the registry. The attorney general shall 2257
continuously forward registry information to the national 2258
instant criminal background check system and to any other state 2259
that adopts an analogous voluntary do not sell or do not possess 2260
list or registry. Upon notice from any other state that has 2261

implemented an analogous do not sell or do not possess list or registry that a person has been enrolled in or removed from that state's list or registry, the attorney general shall update the do not possess firearms registry within one business day. 2262
2263
2264
2265

(2) If a person who has enrolled in the do not possess firearms registry is found to possess, transport, or receive a firearm while enrolled in the registry, law enforcement officials shall confiscate the firearm until the person is removed or unenrolled from the registry. 2266
2267
2268
2269
2270

(E) Except as provided in division (C) (5) of this section, the attorney general shall not remove a person from the do not possess firearms registry until twenty-one days after receipt of the person's request for removal from the registry. On removal of a person from the registry, the attorney general shall update that person's eligibility to purchase, possess, or transport a firearm to the national instant criminal background check system and shall destroy all records related to the enrollment in and removal of the person from the registry. 2271
2272
2273
2274
2275
2276
2277
2278
2279

(F) Upon a person's removal from the do not possess firearms registry, the attorney general, courts, and any other law enforcement agency or office with a record of that person's registration shall destroy the records of that person's registration. 2280
2281
2282
2283
2284

(G) (1) A law enforcement agency shall take possession of any firearm turned over to that law enforcement agency by a person registering on the do not possess firearms registry. 2285
2286
2287

(2) A law enforcement agency that has taken possession of a firearm pursuant to a person's registration on the do not possess firearms registry may transfer that firearm for storage 2288
2289
2290

by the state highway patrol for the duration of the 2291
registration. The state highway patrol shall issue the law 2292
enforcement agency that originally took possession of the 2293
firearm a proof of transfer that includes the name and address 2294
of the person from whom the firearm was received and the serial 2295
number, make, and model or any other relevant description of the 2296
firearm. The state highway patrol shall notify the attorney 2297
general and the person registering that the state highway patrol 2298
then is in possession of the person's firearm. 2299

(3) A law enforcement agency that has taken possession of 2300
a firearm as described in division (G) (1) of this section, or 2301
the state highway patrol if the patrol has custody of a person's 2302
firearm as described in division (G) (2) of this section, shall 2303
make a record of the firearm. Notwithstanding section 149.43 of 2304
the Revised Code, the record is confidential and is not a public 2305
record. The record and the information on it shall not be 2306
disseminated by any person, other than as required to do so 2307
pursuant to a court order. The agency or state highway patrol 2308
shall not submit the record or any information on it to any 2309
government entity for purposes of a centralized database and no 2310
government entity shall establish or maintain any centralized 2311
database including the record or any information on it. 2312

Sec. 2923.221. (A) No person shall knowingly inquire as to 2313
whether another person is enrolled in the do not possess 2314
firearms registry created under section 2923.22 of the Revised 2315
Code for any purpose other than to determine that person's 2316
eligibility to purchase, possess, or transport a firearm. 2317

(B) No person shall knowingly give false information or 2318
make a false statement with the purpose to enroll a person in or 2319
remove a person from the do not possess firearms registry. 2320

(C) No person shall knowingly discriminate against another 2321
person with regards to the person's receipt of health care 2322
services, employment, education, housing, insurance, 2323
governmental benefits, or contracting due to that person not 2324
being enrolled in the do not possess firearms registry, being 2325
enrolled in the registry, or previously being enrolled in the 2326
registry. 2327

(D) No person or entity shall knowingly, or negligently 2328
due to failure to perform a required background check, transfer 2329
a firearm to a person enrolled in the do not possess firearms 2330
registry. 2331

(E) (1) Notwithstanding section 2929.24 of the Revised 2332
Code, an individual or organization guilty of an offense for 2333
violating this section shall not be subject to imprisonment, but 2334
to a fine alone. 2335

(2) A violation of division (A) of this section is 2336
improper inquiry regarding the do not possess firearms registry, 2337
a misdemeanor of the third degree. 2338

(3) A violation of division (B) of this section is false 2339
statement to enroll or remove from the do not possess firearms 2340
registry, a misdemeanor of the second degree. 2341

(4) A violation of division (C) of this section is 2342
improper use of the do not possess firearms registry, a 2343
misdemeanor of the first degree. 2344

(5) A violation of division (D) of this section is 2345
improper transfer to a person on the do not possess firearms 2346
registry, a misdemeanor of the first degree. Notwithstanding 2347
section 2929.28 of the Revised Code, if the entity violating 2348
division (D) of this section is an organization, the court may 2349

impose a fine of not more than five thousand dollars. 2350

Sec. 4731.058. The state medical board and the department 2351
of mental health and addiction services shall adopt rules to 2352
encourage licensees to inform the public about the do not 2353
possess firearms registry created under section 2923.22 of the 2354
Revised Code. 2355

Section 2. That existing sections 149.43, 2923.11, 2356
2923.125, 2923.128, and 2923.20 of the Revised Code are hereby 2357
repealed. 2358

Section 3. The Attorney General shall implement and manage 2359
a public awareness campaign regarding the do not possess 2360
firearms registry, which may include online materials, printed 2361
materials, and public service announcements. At a minimum, the 2362
campaign shall include information about the do not possess 2363
firearms registry, how a person may register, and contact 2364
information for a person to obtain additional information about 2365
the registry. 2366

Section 4. This act shall be known as the Suicide Self- 2367
Defense Act. 2368

Section 5. The General Assembly, applying the principle 2369
stated in division (B) of section 1.52 of the Revised Code that 2370
amendments are to be harmonized if reasonably capable of 2371
simultaneous operation, finds that the following sections, 2372
presented in this act as composites of the sections as amended 2373
by the acts indicated, are the resulting versions of the 2374
sections in effect prior to the effective date of the sections 2375
as presented in this act: 2376

Section 149.43 of the Revised Code is presented in this 2377
act as a composite of the section as amended by H.B. 265, H.B. 2378

315, S.B. 29, and S.B. 109, all of the 135th General Assembly.	2379
Section 2923.125 of the Revised Code as amended by both	2380
H.B. 281 and S.B. 288 of the 134th General Assembly.	2381
Section 2923.128 of the Revised Code as amended by H.B.	2382
281, S.B. 215, and S.B. 288, all of the 134th General Assembly.	2383