

As Introduced

135th General Assembly

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H. B. No. 228

Representatives Johnson, Plummer

Cosponsors: Representatives Young, T., Click, Hall, Fowler Arthur, Stoltzfus, Bird, Abdullahi, Schmidt, Willis, Ferguson, Creech, Gross, Mathews, Cutrona, Patton

A BILL

To amend sections 9.50, 101.311, 123.01, 123.011, 123.29, 2923.16, 5502.01, and 5503.02 and to enact section 123.30 of the Revised Code to rename the Vern Riffe Center for Government and the Arts as the Tawnya Salyer Memorial Center for Government and the Arts.

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

Section 1. That sections 9.50, 101.311, 123.01, 123.011, 123.29, 2923.16, 5502.01, and 5503.02 be amended and section 123.30 of the Revised Code be enacted to read as follows:

Sec. 9.50. (A) As used in this section:

(1) "POW/MIA flag" means the flag that depicts the profile of a prisoner of war against the background of a prisoner of war camp watchtower.

(2) "Public building" means the principal municipal building of each municipal corporation, the principal county building in the county seat of each county, and the state house in Columbus.

(3) "Transportation facilities" has the meaning defined in section 5501.01 of the Revised Code.	18 19
(B) The general assembly hereby encourages the display of the POW/MIA flag during normal business hours at each public building.	20 21 22
(C) Except as provided under division (E) of this section, the POW/MIA flag shall be displayed at buildings operated by the state government on all of the following days:	23 24 25
(1) The third Saturday in May, known as Armed Forces day;	26
(2) The last Monday in May, known as Memorial day;	27
(3) The fourteenth day of June, known as Flag day;	28
(4) The fourth day of July, known as Independence day;	29
(5) The third Friday in September, known as National POW/MIA Recognition day;	30 31
(6) The eleventh day of November, known as Veterans' day.	32
(D) As used in divisions (C) and (E) of this section, buildings operated by the state government include all of the following:	33 34 35
(1) The building at 25 South Front Street, Columbus;	36
(2) The building at 4200 Surface Road, Columbus;	37
(3) The Frank J. Lausche state office building in Cleveland;	38 39
(4) The James A. Rhodes state office tower in Columbus;	40
(5) The Michael V. DiSalle government center in Toledo;	41
(6) The north high street complex, 246 North High Street	42

and 35 East Chestnut Street, Columbus;	43
(7) Ohio governor's residence and heritage garden in Bexley;	44 45
(8) Oliver R. Ocasek government office building in Akron;	46
(9) State of Ohio computer center;	47
(10) The Vern Riffe <u>Tawnya Salyer memorial</u> center for government and the arts in Columbus;	48 49
(11) Buildings at transportation facilities operated by the department of transportation;	50 51
(12) The state house in Columbus;	52
(13) A state armory under the direction of the adjutant general under Chapter 5911. of the Revised Code;	53 54
(14) The William Green building in Columbus;	55
(15) The Charles D. Shipley building in Columbus;	56
(16) The office of the state fire marshal in Reynoldsburg; and	57 58
(17) State highway patrol posts.	59
(E) (1) Division (C) of this section does not apply to buildings that do not have an installed flag pole on the effective date of this amendment <u>November 2, 2018</u> .	60 61 62
(2) A building operated by the state government may comply with the requirements of division (C) of this section by commencing the display of the flag during normal business hours on a workday before the required display day, and ending the display during normal business hours on a workday following the required display day.	63 64 65 66 67 68

(3) This section does not apply to a building described in 69
division (D) of this section when the state government ceases to 70
operate that building. 71

(F) When displayed from the same halyard or staff, the 72
POW/MIA flag should fly directly below, and be no larger than, 73
the United States flag. When displayed from adjacent staffs, the 74
United States flag should always be placed to the right of other 75
flags, including the POW/MIA flag. On the dates specified in 76
division (C) of this section, the POW/MIA flag shall be flown 77
immediately below or adjacent to the United States flag as 78
second in order of precedence. 79

(G) In enacting this section, the general assembly hereby 80
declares and finds all of the following: 81

(1) Over two thousand four hundred Americans, including 82
one hundred seventeen from this state, who served in the United 83
States armed forces during the war in Indochina are still listed 84
as prisoners of war or missing in action. 85

(2) There is significant evidence that many of these 86
missing Americans are still alive and being held against their 87
will in Indochina. 88

(3) This nation is deeply indebted to its servicemen and 89
servicewomen of all wars and conflicts for their courage and 90
sacrifice and should demonstrate its special commitment to the 91
missing men and women of all wars and conflicts and their 92
families by obtaining the release of those still held prisoner 93
of war and the fullest possible accounting from the responsible 94
governments regarding those Americans listed as missing in 95
action. 96

(4) The POW/MIA flag is a powerful symbol of the plight of 97

these prisoners of war and missing Americans and reminds the public of the commitment this nation must have in determining the fate of its servicemen and servicewomen. Thus, it is appropriate that the POW/MIA flag should be displayed at certain public buildings throughout this state to increase public awareness of the issue of prisoners of war and those missing in action and to gain public support for the efforts of the United States government to resolve this matter.

Sec. 101.311. (A) As used in this section, "capitol square" has the same meaning as in section 105.41 of the Revised Code.

(B) (1) The speaker of the house of representatives shall appoint a sergeant at arms for the house of representatives.

(2) The speaker of the house of representatives shall adopt a policy specifying the minimum continuing training required for a person to maintain employment as house sergeant at arms or an assistant house sergeant at arms. The continuing training for the house sergeant at arms if the house sergeant at arms has arrest authority pursuant to division (E) (1) of this section and for all assistant sergeants at arms shall include firearms requalification under section 109.801 of the Revised Code.

(C) (1) The house sergeant at arms may appoint assistant house sergeants at arms to assist the house sergeant at arms in performing the duties described in divisions (D) and (E) of this section. The house sergeant at arms shall not appoint a person to be an assistant house sergeant at arms unless one of the following applies:

(a) The person previously has been awarded a certificate

by the executive director of the Ohio peace officer training 127
commission attesting to the person's satisfactory completion of 128
an approved state, county, municipal, or department of natural 129
resources peace officer basic training program, the person 130
previously has been employed as a peace officer, the prior 131
employment of the person as a peace officer contains no breaks 132
in service of more than one year, and the person has 133
successfully completed a firearms requalification program under 134
section 109.801 of the Revised Code. 135

(b) The person previously has been awarded a certificate 136
by the executive director of the Ohio peace officer training 137
commission attesting to the person's satisfactory completion of 138
an approved state, county, municipal, or department of natural 139
resources peace officer basic training program, the person 140
previously has been employed as a peace officer, the prior 141
employment of the person as a peace officer contains a break in 142
service of one year or more and not more than four years, the 143
person has received all updated training required by the house 144
sergeant at arms, and the person has successfully completed a 145
firearms requalification program under section 109.801 of the 146
Revised Code. 147

(c) The person previously has been employed as a trooper 148
of the state highway patrol, within one year prior to employment 149
as an assistant house sergeant at arms the person had arrest 150
authority as a trooper of the state highway patrol, and the 151
person has successfully completed a firearms requalification 152
program under section 109.801 of the Revised Code. 153

(d) The person previously has been employed as a trooper 154
of the state highway patrol, the prior employment as a trooper 155
of the state highway patrol contains a break in service of one 156

year or more and not more than four years, the person has 157
received all updated training required by the house sergeant at 158
arms, and the person has successfully completed a firearms 159
requalification program under section 109.801 of the Revised 160
Code. 161

(2) In order to maintain employment as the house sergeant 162
at arms or an assistant house sergeant at arms, the sergeant at 163
arms or assistant sergeant at arms shall successfully complete 164
all continuing training programs required by the speaker of the 165
house of representatives under division (B) (2) of this section. 166
If the house sergeant at arms or an assistant house sergeant at 167
arms has a peace officer basic training certificate, or 168
comparable certification issued by another law enforcement 169
agency, the house sergeant at arms or the assistant house 170
sergeant at arms also may complete whatever additional training 171
is needed to maintain that certification. The Ohio peace officer 172
training academy, a state, county, municipal, or department of 173
natural resources training program, or any other program 174
offering continuing training of that nature shall admit the 175
house sergeant at arms or assistant house sergeant at arms to 176
the continuing training program necessary for that sergeant at 177
arms or assistant sergeant at arms to retain that certification. 178

(3) Any person who has been appointed as the sergeant at 179
arms pursuant to division (B) of this section or as an assistant 180
sergeant at arms pursuant to division (C) of this section on or 181
after the first day of March 2000, and who has received a 182
certificate of completion of basic training programs pursuant to 183
division (D) of section 109.75 of the Revised Code shall be 184
considered a peace officer during the term of the person's 185
appointment as the sergeant at arms or as an assistant sergeant 186
at arms for the purposes of maintaining a current and valid 187

basic training certificate pursuant to rules adopted under 188
section 109.74 of the Revised Code. 189

(D) (1) The house sergeant at arms shall do all of the 190
following: 191

(a) Maintain good order in the corridors, committee rooms, 192
and offices of the house of representatives in the ~~Vern Riffe~~ 193
Tawnya Salyer memorial center, the hall and gallery of the house 194
of representatives, and those areas of the ~~Vern Riffe~~ Tawnya 195
Salyer memorial center under the exclusive use and control of 196
the house of representatives. This section shall not affect or 197
abridge the authority or responsibility of the state highway 198
patrol. 199

(b) Strictly enforce the rules of the house of 200
representatives regulating admission of persons to the floor of 201
the house of representatives; 202

(c) Serve all subpoenas and warrants issued by the house 203
of representatives or any duly authorized officer or committee 204
of the house of representatives; 205

(d) On order for a call of the house of representatives, 206
arrest or cause to be arrested members of the house of 207
representatives and bring the members into the house of 208
representatives; 209

(e) Execute or cause to be executed a warrant for the 210
arrest of a person failing to appear or produce a paper or 211
record pursuant to house of representatives subpoena or order 212
pursuant to section 101.43 of the Revised Code and convey the 213
person to the house of representatives. If the house sergeant at 214
arms does not have arrest authority pursuant to division (E) (1) 215
of this section, the house sergeant at arms shall cause the 216

warrant to be executed and the person to be conveyed to the 217
house of representatives. 218

(f) At the direction of the speaker of the house of 219
representatives, provide security for members of the house of 220
representatives, house of representatives and other legislative 221
employees, and other persons. 222

(2) While providing security pursuant to division (D) (1) 223
(f) of this section, assistant house sergeants at arms, and the 224
house sergeant at arms if the house sergeant at arms has arrest 225
authority pursuant to division (E) (1) of this section, shall 226
have the same arrest powers as other peace officers to apprehend 227
criminal offenders who endanger or threaten the security of any 228
person being protected, no matter where the arrest occurs. The 229
jurisdiction of an assistant house sergeant at arms and the 230
house sergeant at arms if the house sergeant at arms has arrest 231
authority pursuant to division (E) (1) of this section shall be 232
concurrent with that of peace officers of the county, township, 233
or municipal corporation in which the violation occurs and with 234
the state highway patrol. 235

(E) (1) The house sergeant at arms has the authority 236
specified under section 2935.03 of the Revised Code for peace 237
officers to enforce all state laws, municipal ordinances, and 238
township resolutions and to make arrests for any violation of 239
those laws, ordinances, and resolutions in all areas identified 240
in division (D) (1) (a) of this section as areas in which the 241
house sergeant at arms is to maintain good order, and while 242
providing security pursuant to division (D) (1) (f) of this 243
section if any of the following apply: 244

(a) The house sergeant at arms previously has been awarded 245
a certificate by the executive director of the Ohio peace 246

officer training commission attesting to the house sergeant at 247
arms's satisfactory completion of an approved state, county, 248
municipal, or department of natural resources peace officer 249
basic training program, the house sergeant at arms previously 250
has been employed as a peace officer, the prior employment of 251
the house sergeant at arms as a peace officer contains no breaks 252
in service that would require the house sergeant at arms to 253
receive updated training by the Ohio peace officer training 254
academy, and the house sergeant at arms has successfully 255
completed a firearms requalification program under section 256
109.801 of the Revised Code. 257

(b) The house sergeant at arms previously has been awarded 258
a certificate by the executive director of the Ohio peace 259
officer training commission attesting to the house sergeant at 260
arms's satisfactory completion of an approved state, county, 261
municipal, or department of natural resources peace officer 262
basic training program, the house sergeant at arms previously 263
has been employed as a peace officer, the prior employment of 264
the house sergeant at arms as a peace officer contains a break 265
in service that would require the house sergeant at arms to 266
receive updated training by the Ohio peace officer training 267
academy, the house sergeant at arms has received that updated 268
training, and the house sergeant at arms has successfully 269
completed a firearms requalification program under section 270
109.801 of the Revised Code. 271

(c) The house sergeant at arms previously has been 272
employed as a trooper of the state highway patrol, within one 273
year prior to employment as house sergeant at arms the house 274
sergeant at arms had arrest authority as a trooper of the state 275
highway patrol, and the house sergeant at arms has successfully 276
completed a firearms requalification program under section 277

109.801 of the Revised Code. 278

(2) Assistant house sergeants at arms have the authority 279
specified under section 2935.03 of the Revised Code for peace 280
officers to enforce all state laws, municipal ordinances, and 281
township resolutions and to make arrests for any violation of 282
those laws, ordinances, and resolutions in all areas identified 283
in division (D) (1) (a) of this section as areas in which the 284
house sergeant at arms is to maintain good order, and while 285
providing security pursuant to division (D) (1) (f) of this 286
section. 287

(3) The jurisdiction of the house sergeant at arms, if the 288
house sergeant at arms has arrest authority pursuant to division 289
(E) (1) of this section, and of an assistant house sergeant at 290
arms shall be concurrent with that of peace officers of the 291
county, township, or municipal corporation in which the 292
violation occurs and with the state highway patrol. 293

(4) If the house sergeant at arms has arrest authority 294
pursuant to division (E) (1) of this section, the speaker of the 295
house of representatives shall issue to the house sergeant at 296
arms a commission indicating the sergeant at arms's authority to 297
make arrests as provided in this section. The speaker of the 298
house of representatives, upon the recommendation of the house 299
sergeant at arms, shall issue to each assistant house sergeant 300
at arms a commission indicating the assistant sergeant at arms's 301
authority to make arrests as provided in this section. The 302
speaker of the house of representatives shall furnish a suitable 303
badge to the house sergeant at arms, if the house sergeant at 304
arms has arrest authority under division (E) (1) of this section, 305
and to each commissioned assistant house sergeant at arms as 306
evidence of the sergeant at arms's or assistant sergeant at 307

arms's authority.	308
Sec. 123.01. (A) The department of administrative	309
services, in addition to those powers enumerated in Chapters	310
124. and 125. of the Revised Code and provided elsewhere by law,	311
shall exercise the following powers:	312
(1) To prepare and suggest comprehensive plans for the	313
development of grounds and buildings under the control of a	314
state agency;	315
(2) To acquire, by purchase, gift, devise, lease, or	316
grant, all real estate required by a state agency, in the	317
exercise of which power the department may exercise the power of	318
eminent domain, in the manner provided by sections 163.01 to	319
163.22 of the Revised Code;	320
(3) To erect, supervise, and maintain all public monuments	321
and memorials erected by the state, except where the supervision	322
and maintenance is otherwise provided by law;	323
(4) To procure, by lease, storage accommodations for a	324
state agency;	325
(5) To lease or grant easements or licenses for	326
unproductive and unused lands or other property under the	327
control of a state agency. Such leases, easements, or licenses	328
may be granted to any person or entity, shall be for a period	329
not to exceed fifteen years, unless a longer period is	330
authorized by division (A) (5) of this section, and shall be	331
executed for the state by the director of administrative	332
services. The director shall grant leases, easements, or	333
licenses of university land for periods not to exceed twenty-	334
five years for purposes approved by the respective university's	335
board of trustees wherein the uses are compatible with the uses	336

and needs of the university and may grant leases of university 337
land for periods not to exceed forty years for purposes approved 338
by the respective university's board of trustees pursuant to 339
section 123.17 of the Revised Code. The director may grant 340
perpetual easements to public utilities, as defined in section 341
4905.02 of the Revised Code or described in section 4905.03 of 342
the Revised Code. 343

(6) To lease space for the use of a state agency; 344

(7) To have general supervision and care of the 345
storerooms, offices, and buildings leased for the use of a state 346
agency; 347

(8) To exercise general custodial care of all real 348
property of the state; 349

(9) To assign and group together state offices in any city 350
in the state and to establish, in cooperation with the state 351
agencies involved, rules governing space requirements for office 352
or storage use; 353

(10) To lease for a period not to exceed forty years, 354
pursuant to a contract providing for the construction thereof 355
under a lease-purchase plan, buildings, structures, and other 356
improvements for any public purpose, and, in conjunction 357
therewith, to grant leases, easements, or licenses for lands 358
under the control of a state agency for a period not to exceed 359
forty years. The lease-purchase plan shall provide that at the 360
end of the lease period, the buildings, structures, and related 361
improvements, together with the land on which they are situated, 362
shall become the property of the state without cost. 363

(a) Whenever any building, structure, or other improvement 364
is to be so leased by a state agency, the department shall 365

retain either basic plans, specifications, bills of materials, 366
and estimates of cost with sufficient detail to afford bidders 367
all needed information or, alternatively, all of the following 368
plans, details, bills of materials, and specifications: 369

(i) Full and accurate plans suitable for the use of 370
mechanics and other builders in the improvement; 371

(ii) Details to scale and full sized, so drawn and 372
represented as to be easily understood; 373

(iii) Accurate bills showing the exact quantity of 374
different kinds of material necessary to the construction; 375

(iv) Definite and complete specifications of the work to 376
be performed, together with such directions as will enable a 377
competent mechanic or other builder to carry them out and afford 378
bidders all needed information; 379

(v) A full and accurate estimate of each item of expense 380
and of the aggregate cost thereof. 381

(b) The department shall give public notice, in such 382
newspaper, in such form, and with such phraseology as the 383
director of administrative services prescribes, published once 384
each week for four consecutive weeks, of the time when and place 385
where bids will be received for entering into an agreement to 386
lease to a state agency a building, structure, or other 387
improvement. The last publication shall be at least eight days 388
preceding the day for opening the bids. The bids shall contain 389
the terms upon which the builder would propose to lease the 390
building, structure, or other improvement to the state agency. 391
The form of the bid approved by the department shall be used, 392
and a bid is invalid and shall not be considered unless that 393
form is used without change, alteration, or addition. Before 394

submitting bids pursuant to this section, any builder shall 395
comply with Chapter 153. of the Revised Code. 396

(c) On the day and at the place named for receiving bids 397
for entering into lease agreements with a state agency, the 398
director of administrative services shall open the bids and 399
shall publicly proceed immediately to tabulate the bids upon 400
duplicate sheets. No lease agreement shall be entered into until 401
the bureau of workers' compensation has certified that the 402
person to be awarded the lease agreement has complied with 403
Chapter 4123. of the Revised Code, until, if the builder 404
submitting the lowest and best bid is a foreign corporation, the 405
secretary of state has certified that the corporation is 406
authorized to do business in this state, until, if the builder 407
submitting the lowest and best bid is a person nonresident of 408
this state, the person has filed with the secretary of state a 409
power of attorney designating the secretary of state as its 410
agent for the purpose of accepting service of summons in any 411
action brought under Chapter 4123. of the Revised Code, and 412
until the agreement is submitted to the attorney general and the 413
attorney general's approval is certified thereon. Within thirty 414
days after the day on which the bids are received, the 415
department shall investigate the bids received and shall 416
determine that the bureau and the secretary of state have made 417
the certifications required by this section of the builder who 418
has submitted the lowest and best bid. Within ten days of the 419
completion of the investigation of the bids, the department 420
shall award the lease agreement to the builder who has submitted 421
the lowest and best bid and who has been certified by the bureau 422
and secretary of state as required by this section. If bidding 423
for the lease agreement has been conducted upon the basis of 424
basic plans, specifications, bills of materials, and estimates 425

of costs, upon the award to the builder the department, or the 426
builder with the approval of the department, shall appoint an 427
architect or engineer licensed in this state to prepare such 428
further detailed plans, specifications, and bills of materials 429
as are required to construct the building, structure, or 430
improvement. The department shall adopt such rules as are 431
necessary to give effect to this section. The department may 432
reject any bid. Where there is reason to believe there is 433
collusion or combination among bidders, the bids of those 434
concerned therein shall be rejected. 435

(11) To acquire by purchase, gift, devise, or grant and to 436
transfer, lease, or otherwise dispose of all real property 437
required to assist in the development of a conversion facility 438
as defined in section 5709.30 of the Revised Code as that 439
section existed before its repeal by Amended Substitute House 440
Bill 95 of the 125th general assembly; 441

(12) To lease for a period not to exceed forty years, 442
notwithstanding any other division of this section, the state- 443
owned property located at 408-450 East Town Street, Columbus, 444
Ohio, formerly the state school for the deaf, to a developer in 445
accordance with this section. "Developer," as used in this 446
section, has the same meaning as in section 123.77 of the 447
Revised Code. 448

Such a lease shall be for the purpose of development of 449
the land for use by senior citizens by constructing, altering, 450
renovating, repairing, expanding, and improving the site as it 451
existed on June 25, 1982. A developer desiring to lease the land 452
shall prepare for submission to the department a plan for 453
development. Plans shall include provisions for roads, sewers, 454
water lines, waste disposal, water supply, and similar matters 455

to meet the requirements of state and local laws. The plans 456
shall also include provision for protection of the property by 457
insurance or otherwise, and plans for financing the development, 458
and shall set forth details of the developer's financial 459
responsibility. 460

The department may employ, as employees or consultants, 461
persons needed to assist in reviewing the development plans. 462
Those persons may include attorneys, financial experts, 463
engineers, and other necessary experts. The department shall 464
review the development plans and may enter into a lease if it 465
finds all of the following: 466

(a) The best interests of the state will be promoted by 467
entering into a lease with the developer; 468

(b) The development plans are satisfactory; 469

(c) The developer has established the developer's 470
financial responsibility and satisfactory plans for financing 471
the development. 472

The lease shall contain a provision that construction or 473
renovation of the buildings, roads, structures, and other 474
necessary facilities shall begin within one year after the date 475
of the lease and shall proceed according to a schedule agreed to 476
between the department and the developer or the lease will be 477
terminated. The lease shall contain such conditions and 478
stipulations as the director considers necessary to preserve the 479
best interest of the state. Moneys received by the state 480
pursuant to this lease shall be paid into the general revenue 481
fund. The lease shall provide that at the end of the lease 482
period the buildings, structures, and related improvements shall 483
become the property of the state without cost. 484

(13) To manage the use of space owned and controlled by	485
the department by doing all of the following:	486
(a) Biennially implementing, by state agency location, a	487
census of agency employees assigned space;	488
(b) Periodically in the discretion of the director of	489
administrative services:	490
(i) Requiring each state agency to categorize the use of	491
space allotted to the agency between office space, common areas,	492
storage space, and other uses, and to report its findings to the	493
department;	494
(ii) Creating and updating a master space utilization plan	495
for all space allotted to state agencies. The plan shall	496
incorporate space utilization metrics.	497
(iii) Conducting a cost-benefit analysis to determine the	498
effectiveness of state-owned buildings;	499
(iv) Assessing the alternatives associated with	500
consolidating the commercial leases for buildings located in	501
Columbus.	502
(c) Commissioning a comprehensive space utilization and	503
capacity study in order to determine the feasibility of	504
consolidating existing commercially leased space used by state	505
agencies into a new state-owned facility.	506
(14) To adopt rules to ensure that energy efficiency and	507
conservation is considered in the purchase of products and	508
equipment, except motor vehicles, by any state agency,	509
department, division, bureau, office, unit, board, commission,	510
authority, quasi-governmental entity, or institution. The	511
department may require minimum energy efficiency standards for	512

purchased products and equipment based on federal testing and 513
labeling if available or on standards developed by the 514
department. When possible, the rules shall apply to the 515
competitive selection of energy consuming systems, components, 516
and equipment under Chapter 125. of the Revised Code. 517

(15) To ensure energy efficient and energy conserving 518
purchasing practices by doing all of the following: 519

(a) Identifying available energy efficiency and 520
conservation opportunities; 521

(b) Providing for interchange of information among 522
purchasing agencies; 523

(c) Identifying laws, policies, rules, and procedures that 524
should be modified; 525

(d) Monitoring experience with and the cost-effectiveness 526
of this state's purchase and use of motor vehicles and of major 527
energy-consuming systems, components, equipment, and products 528
having a significant impact on energy consumption by the 529
government; 530

(e) Providing technical assistance and training to state 531
employees involved in the purchasing process; 532

(f) Working with the department of development to make 533
recommendations regarding planning and implementation of 534
purchasing policies and procedures that are supportive of energy 535
efficiency and conservation. 536

(16) To require all state agencies, departments, 537
divisions, bureaus, offices, units, commissions, boards, 538
authorities, quasi-governmental entities, institutions, and 539
state institutions of higher education to implement procedures 540

to ensure that all of the passenger automobiles they acquire in 541
each fiscal year, except for those passenger automobiles 542
acquired for use in law enforcement or emergency rescue work, 543
achieve a fleet average fuel economy of not less than the fleet 544
average fuel economy for that fiscal year as the department 545
shall prescribe by rule. The department shall adopt the rule 546
prior to the beginning of the fiscal year, in accordance with 547
the average fuel economy standards established by federal law 548
for passenger automobiles manufactured during the model year 549
that begins during the fiscal year. 550

Each state agency, department, division, bureau, office, 551
unit, commission, board, authority, quasi-governmental entity, 552
institution, and state institution of higher education shall 553
determine its fleet average fuel economy by dividing the total 554
number of passenger vehicles acquired during the fiscal year, 555
except for those passenger vehicles acquired for use in law 556
enforcement or emergency rescue work, by a sum of terms, each of 557
which is a fraction created by dividing the number of passenger 558
vehicles of a given make, model, and year, except for passenger 559
vehicles acquired for use in law enforcement or emergency rescue 560
work, acquired during the fiscal year by the fuel economy 561
measured by the administrator of the United States environmental 562
protection agency, for the given make, model, and year of 563
vehicle, that constitutes an average fuel economy for combined 564
city and highway driving. 565

As used in division (A)(16) of this section, "acquired" 566
means leased for a period of sixty continuous days or more, or 567
purchased. 568

(17) To correct legal descriptions or title defects, or 569
release fractional interests in real property, as necessary to 570

cure title clouds reflected in public records, including those 571
resulting from boundary disputes, ingress or egress issues, 572
title transfers precipitated through retirement of bond 573
requirements, and the retention of fractional interests in real 574
estate otherwise disposed of in previous title transfers. 575

(18) (a) To, with controlling board approval, sell state- 576
owned real property that is not held for the benefit of an 577
institution of higher education and is appraised at not more 578
than one hundred thousand dollars by an independent third-party 579
appraiser. 580

(b) To sell state-owned real property that is held for the 581
benefit of an institution of higher education, provided all of 582
the following are true: 583

(i) The board of trustees of the institution of higher 584
education, or, in the case of a university branch district, any 585
other managing authority, adopts a resolution approving the 586
sale; 587

(ii) The real property is appraised at not more than ten 588
million dollars by an independent third-party appraiser; 589

(iii) The controlling board approves the sale. 590

Notwithstanding any provision of law to the contrary, net 591
proceeds from any disposition of real property made pursuant to 592
division (A) (18) of this section shall, at the direction of the 593
director of budget and management, be credited to a fund or 594
funds in the state treasury, or to accounts held by an 595
institution of higher education for purposes to be determined by 596
the institution. 597

As used in division (A) (18) of this section, "institution 598
of higher education" has the same meaning as in section 3345.12 599

of the Revised Code. 600

(B) This section and section 125.02 of the Revised Code 601
shall not interfere with any of the following: 602

(1) The power of the adjutant general to purchase military 603
supplies, or with the custody of the adjutant general of 604
property leased, purchased, or constructed by the state and used 605
for military purposes, or with the functions of the adjutant 606
general as director of state armories; 607

(2) The power of the director of transportation in 608
acquiring rights-of-way for the state highway system, or the 609
leasing of lands for division or resident district offices, or 610
the leasing of lands or buildings required in the maintenance 611
operations of the department of transportation, or the purchase 612
of real property for garage sites or division or resident 613
district offices, or in preparing plans and specifications for 614
and constructing such buildings as the director may require in 615
the administration of the department; 616

(3) The power of the director of public safety and the 617
registrar of motor vehicles to purchase or lease real property 618
and buildings to be used solely as locations to which a deputy 619
registrar is assigned pursuant to division (B) of section 620
4507.011 of the Revised Code and from which the deputy registrar 621
is to conduct the deputy registrar's business, the power of the 622
director of public safety to purchase or lease real property and 623
buildings to be used as locations for division or district 624
offices as required in the maintenance of operations of the 625
department of public safety, and the power of the superintendent 626
of the state highway patrol in the purchase or leasing of real 627
property and buildings needed by the patrol, to negotiate the 628
sale of real property owned by the patrol, to rent or lease real 629

property owned or leased by the patrol, and to make or cause to 630
be made repairs to all property owned or under the control of 631
the patrol; 632

(4) The power of the division of liquor control in the 633
leasing or purchasing of retail outlets and warehouse facilities 634
for the use of the division; 635

(5) The power of the director of development to enter into 636
leases of real property, buildings, and office space to be used 637
solely as locations for the state's foreign offices to carry out 638
the purposes of section 122.05 of the Revised Code; 639

(6) The power of the director of environmental protection 640
to enter into environmental covenants, to grant and accept 641
easements, or to sell property pursuant to division (G) of 642
section 3745.01 of the Revised Code; 643

(7) The power of the department of public safety under 644
section 5502.01 of the Revised Code to direct security measures 645
and operations for the ~~Vern Riffe~~ Tawnya Salyer memorial center 646
and the James A. Rhodes state office tower. The department of 647
administrative services shall implement all security measures 648
and operations at the ~~Vern Riffe~~ Tawnya Salyer memorial center 649
and the James A. Rhodes state office tower as directed by the 650
department of public safety. 651

(C) Purchases for, and the custody and repair of, 652
buildings under the management and control of the capitol square 653
review and advisory board, the opportunities for Ohioans with 654
disabilities agency, the bureau of workers' compensation, or the 655
departments of public safety, job and family services, mental 656
health and addiction services, developmental disabilities, and 657
rehabilitation and correction; buildings of educational and 658

benevolent institutions under the management and control of 659
boards of trustees; and purchases or leases for, and the custody 660
and repair of, office space used for the purposes of any agency 661
of the legislative branch of state government are not subject to 662
the control and jurisdiction of the department of administrative 663
services. 664

An agency of the legislative branch of state government 665
that uses office space in a building under the management and 666
control of the department of administrative services may 667
exercise the agency's authority to improve the agency's office 668
space as authorized under this division only if, upon review, 669
the department of administrative services concludes the proposed 670
improvements do not adversely impact the structural integrity of 671
the building. 672

If an agency of the legislative branch of state 673
government, except the capitol square review and advisory board, 674
so requests, the agency and the director of administrative 675
services may enter into a contract under which the department of 676
administrative services agrees to perform any services requested 677
by the agency that the department is authorized under this 678
section to perform. In performing such services, the department 679
shall not use competitive selection. As used in this division, 680
"competitive selection" has the meaning defined in section 681
125.01 of the Revised Code and includes any other type of 682
competitive process for the selection of persons producing or 683
dealing in the services to be provided. 684

(D) Any instrument by which real property is acquired 685
pursuant to this section shall identify the agency of the state 686
that has the use and benefit of the real property as specified 687
in section 5301.012 of the Revised Code. 688

Sec. 123.011. (A) The department of administrative 689
services may: 690

(1) Fix, alter, and charge rentals and other charges for 691
the use and occupancy of its buildings, facilities, and other 692
properties; 693

(2) Provide for the persons occupying its buildings, 694
facilities, and other properties, health clinics, medical 695
services, food services, and such other services as such persons 696
cannot provide for themselves; and, if the department determines 697
that it is more advantageous, it may enter into contracts with 698
persons, firms, or corporations or with any governmental agency, 699
board, commission, or department to provide any of such clinics 700
or services. 701

(B) Any person may possess a firearm in a motor vehicle in 702
the parking garage at the Riffe-Tawnya Salyer memorial center 703
for government and the arts in Columbus, if the person's 704
possession of the firearm in the motor vehicle is not in 705
violation of section 2923.16 of the Revised Code or any other 706
provision of the Revised Code. Any person may store or leave a 707
firearm in a locked motor vehicle that is parked in the parking 708
garage at the Riffe-Tawnya Salyer memorial center for government 709
and the arts in Columbus, if the person's transportation and 710
possession of the firearm in the motor vehicle while traveling 711
to the garage was not in violation of section 2923.16 of the 712
Revised Code or any other provision of the Revised Code. 713

Sec. 123.29. The theater in the Vern-Riffe-Tawnya Salyer 714
memorial center for government and the arts in Columbus, ~~—~~ 715
~~formerly known as the capitol theatre,~~ shall be known as the 716
Speaker Jo Ann Davidson theatre. 717

Sec. 123.30. The facility located primarily at 77 South High street in Columbus, formerly known as the Vern Riffe center for government and the arts, shall be known as the Tawnya Salyer memorial center for government and the arts. The statue depicting Vern Riffe, currently located between the first and third floors of the facility located primarily at 77 South High street in Columbus, shall remain in its current place.

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

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

(C) No person shall knowingly transport or have a firearm in a motor vehicle, unless the person may lawfully possess that firearm under applicable law of this state or the United States, the firearm is unloaded, and the firearm is carried in one of the following ways:

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

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

(3) In plain sight and secured in a rack or holder made for the purpose;

(4) If the firearm is at least twenty-four inches in overall length as measured from the muzzle to the part of the stock furthest from the muzzle and if the barrel is at least eighteen inches in length, either in plain sight with the action open or the weapon stripped, or, if the firearm is of a type on which the action will not stay open or which cannot easily be

stripped, in plain sight. 747

(D) No person shall knowingly transport or have a loaded 748
handgun in a motor vehicle if, at the time of that 749
transportation or possession, any of the following applies: 750

(1) The person is under the influence of alcohol, a drug 751
of abuse, or a combination of them. 752

(2) The person's whole blood, blood serum or plasma, 753
breath, or urine contains a concentration of alcohol, a listed 754
controlled substance, or a listed metabolite of a controlled 755
substance prohibited for persons operating a vehicle, as 756
specified in division (A) of section 4511.19 of the Revised 757
Code, regardless of whether the person at the time of the 758
transportation or possession as described in this division is 759
the operator of or a passenger in the motor vehicle. 760

(E) No person who has been issued a concealed handgun 761
license or who is an active duty member of the armed forces of 762
the United States and is carrying a valid military 763
identification card and documentation of successful completion 764
of firearms training that meets or exceeds the training 765
requirements described in division (G) (1) of section 2923.125 of 766
the Revised Code, who is the driver or an occupant of a motor 767
vehicle that is stopped as a result of a traffic stop or a stop 768
for another law enforcement purpose or is the driver or an 769
occupant of a commercial motor vehicle that is stopped by an 770
employee of the motor carrier enforcement unit for the purposes 771
defined in section 5503.34 of the Revised Code, and who is 772
transporting or has a loaded handgun in the motor vehicle or 773
commercial motor vehicle in any manner, shall do any of the 774
following: 775

(1) Before or at the time a law enforcement officer asks 776
if the person is carrying a concealed handgun, knowingly fail to 777
disclose that the person then possesses or has a loaded handgun 778
in the motor vehicle, provided that it is not a violation of 779
this division if the person fails to disclose that fact to an 780
officer during the stop and the person already has notified 781
another officer of that fact during the same stop; 782

(2) Before or at the time an employee of the motor carrier 783
enforcement unit asks if the person is carrying a concealed 784
handgun, knowingly fail to disclose that the person then 785
possesses or has a loaded handgun in the commercial motor 786
vehicle, provided that it is not a violation of this division if 787
the person fails to disclose that fact to an employee of the 788
unit during the stop and the person already has notified another 789
employee of the unit of that fact during the same stop; 790

(3) Knowingly fail to remain in the motor vehicle while 791
stopped or knowingly fail to keep the person's hands in plain 792
sight at any time after any law enforcement officer begins 793
approaching the person while stopped and before the law 794
enforcement officer leaves, unless the failure is pursuant to 795
and in accordance with directions given by a law enforcement 796
officer; 797

(4) Knowingly have contact with the loaded handgun by 798
touching it with the person's hands or fingers in the motor 799
vehicle at any time after the law enforcement officer begins 800
approaching and before the law enforcement officer leaves, 801
unless the person has contact with the loaded handgun pursuant 802
to and in accordance with directions given by the law 803
enforcement officer; 804

(5) Knowingly disregard or fail to comply with any lawful 805

order of any law enforcement officer given while the motor 806
vehicle is stopped, including, but not limited to, a specific 807
order to the person to keep the person's hands in plain sight. 808

(F) (1) Divisions (A), (B), (C), and (E) of this section do 809
not apply to any of the following: 810

(a) An officer, agent, or employee of this or any other 811
state or the United States, or a law enforcement officer, when 812
authorized to carry or have loaded or accessible firearms in 813
motor vehicles and acting within the scope of the officer's, 814
agent's, or employee's duties; 815

(b) Any person who is employed in this state, who is 816
authorized to carry or have loaded or accessible firearms in 817
motor vehicles, and who is subject to and in compliance with the 818
requirements of section 109.801 of the Revised Code, unless the 819
appointing authority of the person has expressly specified that 820
the exemption provided in division (F) (1) (b) of this section 821
does not apply to the person. 822

(2) Division (A) of this section does not apply to a 823
person if all of the following circumstances apply: 824

(a) The person discharges a firearm from a motor vehicle 825
at a coyote or groundhog, the discharge is not during the deer 826
gun hunting season as set by the chief of the division of 827
wildlife of the department of natural resources, and the 828
discharge at the coyote or groundhog, but for the operation of 829
this section, is lawful. 830

(b) The motor vehicle from which the person discharges the 831
firearm is on real property that is located in an unincorporated 832
area of a township and that either is zoned for agriculture or 833
is used for agriculture. 834

(c) The person owns the real property described in 835
division (F) (2) (b) of this section, is the spouse or a child of 836
another person who owns that real property, is a tenant of 837
another person who owns that real property, or is the spouse or 838
a child of a tenant of another person who owns that real 839
property. 840

(d) The person does not discharge the firearm in any of 841
the following manners: 842

(i) While under the influence of alcohol, a drug of abuse, 843
or alcohol and a drug of abuse; 844

(ii) In the direction of a street, highway, or other 845
public or private property used by the public for vehicular 846
traffic or parking; 847

(iii) At or into an occupied structure that is a permanent 848
or temporary habitation; 849

(iv) In the commission of any violation of law, including, 850
but not limited to, a felony that includes, as an essential 851
element, purposely or knowingly causing or attempting to cause 852
the death of or physical harm to another and that was committed 853
by discharging a firearm from a motor vehicle. 854

(3) Division (A) of this section does not apply to a 855
person if all of the following apply: 856

(a) The person possesses a valid all-purpose vehicle 857
permit issued under section 1533.103 of the Revised Code by the 858
chief of the division of wildlife. 859

(b) The person discharges a firearm at a wild quadruped or 860
game bird as defined in section 1531.01 of the Revised Code 861
during the open hunting season for the applicable wild quadruped 862

or game bird. 863

(c) The person discharges a firearm from a stationary all- 864
purpose vehicle as defined in section 1531.01 of the Revised 865
Code from private or publicly owned lands or from a motor 866
vehicle that is parked on a road that is owned or administered 867
by the division of wildlife. 868

(d) The person does not discharge the firearm in any of 869
the following manners: 870

(i) While under the influence of alcohol, a drug of abuse, 871
or alcohol and a drug of abuse; 872

(ii) In the direction of a street, a highway, or other 873
public or private property that is used by the public for 874
vehicular traffic or parking; 875

(iii) At or into an occupied structure that is a permanent 876
or temporary habitation; 877

(iv) In the commission of any violation of law, including, 878
but not limited to, a felony that includes, as an essential 879
element, purposely or knowingly causing or attempting to cause 880
the death of or physical harm to another and that was committed 881
by discharging a firearm from a motor vehicle. 882

(4) Divisions (B) and (C) of this section do not apply to 883
a person if all of the following circumstances apply: 884

(a) At the time of the alleged violation of either of 885
those divisions, the person is the operator of or a passenger in 886
a motor vehicle. 887

(b) The motor vehicle is on real property that is located 888
in an unincorporated area of a township and that either is zoned 889
for agriculture or is used for agriculture. 890

(c) The person owns the real property described in 891
division (F) (4) (b) of this section, is the spouse or a child of 892
another person who owns that real property, is a tenant of 893
another person who owns that real property, or is the spouse or 894
a child of a tenant of another person who owns that real 895
property. 896

(d) The person, prior to arriving at the real property 897
described in division (F) (4) (b) of this section, did not 898
transport or possess a firearm in the motor vehicle in a manner 899
prohibited by division (B) or (C) of this section while the 900
motor vehicle was being operated on a street, highway, or other 901
public or private property used by the public for vehicular 902
traffic or parking. 903

(5) Divisions (B) and (C) of this section do not apply to 904
a person who transports or possesses a handgun in a motor 905
vehicle if, at the time of that transportation or possession, 906
both of the following apply: 907

(a) The person transporting or possessing the handgun has 908
been issued a concealed handgun license that is valid at the 909
time in question or the person is an active duty member of the 910
armed forces of the United States and is carrying a valid 911
military identification card and documentation of successful 912
completion of firearms training that meets or exceeds the 913
training requirements described in division (G) (1) of section 914
2923.125 of the Revised Code. 915

(b) The person transporting or possessing the handgun is 916
not knowingly in a place described in division (B) of section 917
2923.126 of the Revised Code. 918

(6) Divisions (B) and (C) of this section do not apply to 919

a person if all of the following apply:	920
(a) The person possesses a valid all-purpose vehicle permit issued under section 1533.103 of the Revised Code by the chief of the division of wildlife.	921 922 923
(b) The person is on or in an all-purpose vehicle as defined in section 1531.01 of the Revised Code or a motor vehicle during the open hunting season for a wild quadruped or game bird.	924 925 926 927
(c) The person is on or in an all-purpose vehicle as defined in section 1531.01 of the Revised Code on private or publicly owned lands or on or in a motor vehicle that is parked on a road that is owned or administered by the division of wildlife.	928 929 930 931 932
(7) Nothing in this section prohibits or restricts a person from possessing, storing, or leaving a firearm in a locked motor vehicle that is parked in the state underground parking garage at the state capitol building or in the parking garage at the Riffe-Tawnya Salyer memorial center for government and the arts in Columbus, if the person's transportation and possession of the firearm in the motor vehicle while traveling to the premises or facility was not in violation of division (A), (B), (C), (D), or (E) of this section or any other provision of the Revised Code.	933 934 935 936 937 938 939 940 941 942
(G) (1) The affirmative defenses authorized in divisions (D) (1) and (2) of section 2923.12 of the Revised Code are affirmative defenses to a charge under division (B) or (C) of this section that involves a firearm other than a handgun.	943 944 945 946
(2) It is an affirmative defense to a charge under division (B) or (C) of this section of improperly handling	947 948

firearms in a motor vehicle that the actor transported or had 949
the firearm in the motor vehicle for any lawful purpose and 950
while the motor vehicle was on the actor's own property, 951
provided that this affirmative defense is not available unless 952
the person, immediately prior to arriving at the actor's own 953
property, did not transport or possess the firearm in a motor 954
vehicle in a manner prohibited by division (B) or (C) of this 955
section while the motor vehicle was being operated on a street, 956
highway, or other public or private property used by the public 957
for vehicular traffic. 958

(H) (1) No person who is charged with a violation of 959
division (B), (C), or (D) of this section shall be required to 960
obtain a concealed handgun license as a condition for the 961
dismissal of the charge. 962

(2) (a) If a person is convicted of, was convicted of, 963
pleads guilty to, or has pleaded guilty to a violation of 964
division (E) of this section as it existed prior to September 965
30, 2011, and the conduct that was the basis of the violation no 966
longer would be a violation of division (E) of this section on 967
or after September 30, 2011, or if a person is convicted of, was 968
convicted of, pleads guilty to, or has pleaded guilty to a 969
violation of division (E) (1) or (2) of this section as it 970
existed prior to ~~the effective date of this amendment~~ June 13, 971
2022, the person may file an application under section 2953.37 972
of the Revised Code requesting the expungement of the record of 973
conviction. 974

If a person is convicted of, was convicted of, pleads 975
guilty to, or has pleaded guilty to a violation of division (B) 976
or (C) of this section as the division existed prior to 977
September 30, 2011, and if the conduct that was the basis of the 978

violation no longer would be a violation of division (B) or (C) 979
of this section on or after September 30, 2011, due to the 980
application of division (F) (5) of this section as it exists on 981
and after September 30, 2011, the person may file an application 982
under section 2953.37 of the Revised Code requesting the 983
expungement of the record of conviction. 984

(b) The attorney general shall develop a public media 985
advisory that summarizes the expungement procedure established 986
under section 2953.37 of the Revised Code and the offenders 987
identified in division (H) (2) (a) of this section and those 988
identified in division (E) (2) of section 2923.12 of the Revised 989
Code who are authorized to apply for the expungement. Within 990
thirty days after September 30, 2011, with respect to violations 991
of division (B), (C), or (E) of this section as they existed 992
prior to that date, and within thirty days after ~~the effective-~~ 993
~~date of this amendment~~ June 13, 2022, with respect to a 994
violation of division (E) (1) or (2) of this section or division 995
(B) (1) of section 2923.12 of the Revised Code as they existed 996
prior to ~~the effective date of this amendment~~ June 13, 2022, the 997
attorney general shall provide a copy of the advisory to each 998
daily newspaper published in this state and each television 999
station that broadcasts in this state. The attorney general may 1000
provide the advisory in a tangible form, an electronic form, or 1001
in both tangible and electronic forms. 1002

(I) Whoever violates this section is guilty of improperly 1003
handling firearms in a motor vehicle. A violation of division 1004
(A) of this section is a felony of the fourth degree. A 1005
violation of division (C) of this section is a misdemeanor of 1006
the fourth degree. A violation of division (D) of this section 1007
is a felony of the fifth degree or, if the loaded handgun is 1008
concealed on the person's person, a felony of the fourth degree. 1009

A violation of division (E) (1) or (2) of this section is a 1010
misdemeanor of the second degree. A violation of division (E) (4) 1011
of this section is a felony of the fifth degree. A violation of 1012
division (E) (3) or (5) of this section is a misdemeanor of the 1013
first degree or, if the offender previously has been convicted 1014
of or pleaded guilty to a violation of division (E) (3) or (5) of 1015
this section, a felony of the fifth degree. In addition to any 1016
other penalty or sanction imposed for a misdemeanor violation of 1017
division (E) (3) or (5) of this section, the offender's concealed 1018
handgun license shall be suspended pursuant to division (A) (2) 1019
of section 2923.128 of the Revised Code. A violation of division 1020
(B) of this section is a felony of the fourth degree. 1021

(J) If a law enforcement officer stops a motor vehicle for 1022
a traffic stop or any other purpose, if any person in the motor 1023
vehicle surrenders a firearm to the officer, either voluntarily 1024
or pursuant to a request or demand of the officer, and if the 1025
officer does not charge the person with a violation of this 1026
section or arrest the person for any offense, the person is not 1027
otherwise prohibited by law from possessing the firearm, and the 1028
firearm is not contraband, the officer shall return the firearm 1029
to the person at the termination of the stop. If a court orders 1030
a law enforcement officer to return a firearm to a person 1031
pursuant to the requirement set forth in this division, division 1032
(B) of section 2923.163 of the Revised Code applies. 1033

(K) As used in this section: 1034

(1) "Motor vehicle," "street," and "highway" have the same 1035
meanings as in section 4511.01 of the Revised Code. 1036

(2) "Occupied structure" has the same meaning as in 1037
section 2909.01 of the Revised Code. 1038

(3) "Agriculture" has the same meaning as in section 1039
519.01 of the Revised Code. 1040

(4) "Tenant" has the same meaning as in section 1531.01 of 1041
the Revised Code. 1042

(5) (a) "Unloaded" means, with respect to a firearm other 1043
than a firearm described in division (K) (6) of this section, 1044
that no ammunition is in the firearm in question, no magazine or 1045
speed loader containing ammunition is inserted into the firearm 1046
in question, and one of the following applies: 1047

(i) There is no ammunition in a magazine or speed loader 1048
that is in the vehicle in question and that may be used with the 1049
firearm in question. 1050

(ii) Any magazine or speed loader that contains ammunition 1051
and that may be used with the firearm in question is stored in a 1052
compartment within the vehicle in question that cannot be 1053
accessed without leaving the vehicle or is stored in a container 1054
that provides complete and separate enclosure. 1055

(b) For the purposes of division (K) (5) (a) (ii) of this 1056
section, a "container that provides complete and separate 1057
enclosure" includes, but is not limited to, any of the 1058
following: 1059

(i) A package, box, or case with multiple compartments, as 1060
long as the loaded magazine or speed loader and the firearm in 1061
question either are in separate compartments within the package, 1062
box, or case, or, if they are in the same compartment, the 1063
magazine or speed loader is contained within a separate 1064
enclosure in that compartment that does not contain the firearm 1065
and that closes using a snap, button, buckle, zipper, hook and 1066
loop closing mechanism, or other fastener that must be opened to 1067

access the contents or the firearm is contained within a 1068
separate enclosure of that nature in that compartment that does 1069
not contain the magazine or speed loader; 1070

(ii) A pocket or other enclosure on the person of the 1071
person in question that closes using a snap, button, buckle, 1072
zipper, hook and loop closing mechanism, or other fastener that 1073
must be opened to access the contents. 1074

(c) For the purposes of divisions (K) (5) (a) and (b) of 1075
this section, ammunition held in stripper-clips or in en-bloc 1076
clips is not considered ammunition that is loaded into a 1077
magazine or speed loader. 1078

(6) "Unloaded" means, with respect to a firearm employing 1079
a percussion cap, flintlock, or other obsolete ignition system, 1080
when the weapon is uncapped or when the priming charge is 1081
removed from the pan. 1082

(7) "Commercial motor vehicle" has the same meaning as in 1083
division (A) of section 4506.25 of the Revised Code. 1084

(8) "Motor carrier enforcement unit" means the motor 1085
carrier enforcement unit in the department of public safety, 1086
division of state highway patrol, that is created by section 1087
5503.34 of the Revised Code. 1088

(L) Divisions (K) (5) (a) and (b) of this section do not 1089
affect the authority of a person who has been issued a concealed 1090
handgun license that is valid at the time in question to have 1091
one or more magazines or speed loaders containing ammunition 1092
anywhere in a vehicle, without being transported as described in 1093
those divisions, as long as no ammunition is in a firearm, other 1094
than a handgun, in the vehicle other than as permitted under any 1095
other provision of this chapter. A person who has been issued a 1096

concealed handgun license that is valid at the time in question 1097
may have one or more magazines or speed loaders containing 1098
ammunition anywhere in a vehicle without further restriction, as 1099
long as no ammunition is in a firearm, other than a handgun, in 1100
the vehicle other than as permitted under any provision of this 1101
chapter. 1102

Sec. 5502.01. (A) The department of public safety shall 1103
administer and enforce the laws relating to the registration, 1104
licensing, sale, and operation of motor vehicles and the laws 1105
pertaining to the licensing of drivers of motor vehicles. 1106

The department shall compile, analyze, and publish 1107
statistics relative to motor vehicle accidents and the causes of 1108
them, prepare and conduct educational programs for the purpose 1109
of promoting safety in the operation of motor vehicles on the 1110
highways, and conduct research and studies for the purpose of 1111
promoting safety on the highways of this state. 1112

(B) The department shall administer the laws and rules 1113
relative to trauma and emergency medical services specified in 1114
Chapter 4765. of the Revised Code and any laws and rules 1115
relative to medical transportation services specified in Chapter 1116
4766. of the Revised Code. 1117

(C) The department shall administer and enforce the laws 1118
contained in Chapters 4301. and 4303. of the Revised Code and 1119
enforce the rules and orders of the liquor control commission 1120
pertaining to retail liquor permit holders. 1121

(D) The department shall administer the laws governing the 1122
state emergency management agency and shall enforce all 1123
additional duties and responsibilities as prescribed in the 1124
Revised Code related to emergency management services. 1125

(E) The department shall conduct investigations pursuant 1126
to Chapter 5101. of the Revised Code in support of the duty of 1127
the department of job and family services to administer the 1128
supplemental nutrition assistance program throughout this state. 1129
The department of public safety shall conduct investigations 1130
necessary to protect the state's property rights and interests 1131
in the supplemental nutrition assistance program. 1132

(F) The department of public safety shall enforce 1133
compliance with orders and rules of the public utilities 1134
commission and applicable laws in accordance with Chapters 1135
4905., 4921., and 4923. of the Revised Code regarding commercial 1136
motor vehicle transportation safety, economic, and hazardous 1137
materials requirements. 1138

(G) Notwithstanding Chapter 4117. of the Revised Code, the 1139
department of public safety may establish requirements for its 1140
enforcement personnel, including its enforcement agents 1141
described in section 5502.14 of the Revised Code, that include 1142
standards of conduct, work rules and procedures, and criteria 1143
for eligibility as law enforcement personnel. 1144

(H) The department shall administer, maintain, and operate 1145
the Ohio criminal justice network. The Ohio criminal justice 1146
network shall be a computer network that supports state and 1147
local criminal justice activities. The network shall be an 1148
electronic repository for various data, which may include arrest 1149
warrants, notices of persons wanted by law enforcement agencies, 1150
criminal records, prison inmate records, stolen vehicle records, 1151
vehicle operator's licenses, and vehicle registrations and 1152
titles. 1153

(I) The department shall coordinate all homeland security 1154
activities of all state agencies and shall be a liaison between 1155

state agencies and local entities for those activities and 1156
related purposes. 1157

(J) The department shall administer and enforce the laws 1158
relative to private investigators and security service providers 1159
specified in Chapter 4749. of the Revised Code. 1160

(K) The department shall administer criminal justice 1161
services in accordance with sections 5502.61 to 5502.66 of the 1162
Revised Code. 1163

(L) The department shall administer the Ohio school safety 1164
and crisis center and the Ohio mobile training team in 1165
accordance with sections 5502.70 to 5502.703 of the Revised 1166
Code. 1167

(M) The department shall coordinate security measures and 1168
operations, and may direct the department of administrative 1169
services to implement any security measures and operations the 1170
department of public safety requires, at the ~~Vern Riffe Center~~ 1171
Tawnya Salyer memorial center and the James A. Rhodes state 1172
office tower. 1173

Notwithstanding section 125.28 of the Revised Code, the 1174
director of public safety may recover the costs of directing 1175
security measures and operations under this division by either 1176
issuing intrastate transfer voucher billings to the department 1177
of administrative services, which the department shall process 1178
to pay for the costs, or, upon the request of the director of 1179
administrative services, the director of budget and management 1180
may transfer cash in the requested amount from the building 1181
management fund created under section 125.28 of the Revised 1182
Code. Payments received or cash transfers made under this 1183
division for the costs of directing security measures and 1184

operations shall be deposited into the state treasury to the 1185
credit of the security, investigations, and policing fund 1186
created under section 4501.11 of the Revised Code. 1187

Sec. 5503.02. (A) The state highway patrol shall enforce 1188
the laws of the state relating to the titling, registration, and 1189
licensing of motor vehicles; enforce on all roads and highways, 1190
notwithstanding section 4513.39 of the Revised Code, the laws 1191
relating to the operation and use of vehicles on the highways; 1192
enforce and prevent the violation of the laws relating to the 1193
size, weight, and speed of commercial motor vehicles and all 1194
laws designed for the protection of the highway pavements and 1195
structures on the highways; investigate and enforce rules and 1196
laws of the public utilities commission governing the 1197
transportation of persons and property by motor carriers and 1198
report violations of such rules and laws to the commission; 1199
enforce against any motor carrier as defined in section 4923.01 1200
of the Revised Code those rules and laws that, if violated, may 1201
result in a forfeiture as provided in section 4923.99 of the 1202
Revised Code; investigate and report violations of all laws 1203
relating to the collection of excise taxes on motor vehicle 1204
fuels; and regulate the movement of traffic on the roads and 1205
highways of the state, notwithstanding section 4513.39 of the 1206
Revised Code. 1207

The patrol, whenever possible, shall determine the 1208
identity of the persons who are causing or who are responsible 1209
for the breaking, damaging, or destruction of any improved 1210
surfaced roadway, structure, sign, marker, guardrail, or other 1211
appurtenance constructed or maintained by the department of 1212
transportation and shall arrest the persons who are responsible 1213
for the breaking, damaging, or destruction and bring them before 1214
the proper officials for prosecution. 1215

State highway patrol troopers shall investigate and report 1216
all motor vehicle accidents on all roads and highways outside of 1217
municipal corporations. The superintendent of the patrol or any 1218
state highway patrol trooper may arrest, without a warrant, any 1219
person, who is the driver of or a passenger in any vehicle 1220
operated or standing on a state highway, whom the superintendent 1221
or trooper has reasonable cause to believe is guilty of a 1222
felony, under the same circumstances and with the same power 1223
that any peace officer may make such an arrest. 1224

The superintendent or any state highway patrol trooper may 1225
enforce the criminal laws on all state properties and state 1226
institutions, owned or leased by the state, and, when so ordered 1227
by the governor in the event of riot, civil disorder, or 1228
insurrection, may, pursuant to sections 2935.03 to 2935.05 of 1229
the Revised Code, arrest offenders against the criminal laws 1230
wherever they may be found within the state if the violations 1231
occurred upon, or resulted in injury to person or property on, 1232
state properties or state institutions, or under the conditions 1233
described in division (B) of this section. This authority of the 1234
superintendent and any state highway patrol trooper to enforce 1235
the criminal laws shall extend to the Lake Erie Correctional 1236
Institution and the Northeast Ohio Correctional Center, to the 1237
same extent as if those prisons were owned by this state. 1238

(B) In the event of riot, civil disorder, or insurrection, 1239
or the reasonable threat of riot, civil disorder, or 1240
insurrection, and upon request, as provided in this section, of 1241
the sheriff of a county or the mayor or other chief executive of 1242
a municipal corporation, the governor may order the state 1243
highway patrol to enforce the criminal laws within the area 1244
threatened by riot, civil disorder, or insurrection, as 1245
designated by the governor, upon finding that law enforcement 1246

agencies within the counties involved will not be reasonably 1247
capable of controlling the riot, civil disorder, or insurrection 1248
and that additional assistance is necessary. In cities in which 1249
the sheriff is under contract to provide exclusive police 1250
services pursuant to section 311.29 of the Revised Code, in 1251
villages, and in the unincorporated areas of the county, the 1252
sheriff has exclusive authority to request the use of the 1253
patrol. In cities in which the sheriff does not exclusively 1254
provide police services, the mayor, or other chief executive 1255
performing the duties of mayor, has exclusive authority to 1256
request the use of the patrol. 1257

The superintendent or any state highway patrol trooper may 1258
enforce the criminal laws within the area designated by the 1259
governor during the emergency arising out of the riot, civil 1260
disorder, or insurrection until released by the governor upon 1261
consultation with the requesting authority. State highway patrol 1262
troopers shall never be used as peace officers in connection 1263
with any strike or labor dispute. 1264

When a request for the use of the patrol is made pursuant 1265
to this division, the requesting authority shall notify the law 1266
enforcement authorities in contiguous communities and the 1267
sheriff of each county within which the threatened area, or any 1268
part of the threatened area, lies of the request, but the 1269
failure to notify the authorities or a sheriff shall not affect 1270
the validity of the request. 1271

(C) Any person who is arrested by the superintendent or a 1272
state highway patrol trooper shall be taken before any court or 1273
magistrate having jurisdiction of the offense with which the 1274
person is charged. Any person who is arrested or apprehended 1275
within the limits of a municipal corporation shall be brought 1276

before the municipal court or other tribunal of the municipal 1277
corporation. 1278

(D) (1) State highway patrol troopers have the same right 1279
and power of search and seizure as other peace officers. 1280

No state official shall command, order, or direct any 1281
state highway patrol trooper to perform any duty or service that 1282
is not authorized by law. The powers and duties conferred on the 1283
patrol are supplementary to, and in no way a limitation on, the 1284
powers and duties of sheriffs or other peace officers of the 1285
state. 1286

(2) (a) A state highway patrol trooper, pursuant to the 1287
policy established by the superintendent of the state highway 1288
patrol under division (D) (2) (b) of this section, may render 1289
emergency assistance to any other peace officer who has arrest 1290
authority under section 2935.03 of the Revised Code, if both of 1291
the following apply: 1292

(i) There is a threat of imminent physical danger to the 1293
peace officer, a threat of physical harm to another person, or 1294
any other serious emergency situation; 1295

(ii) Either the peace officer requests emergency 1296
assistance, or it appears that the peace officer is unable to 1297
request emergency assistance and the circumstances observed by 1298
the state highway patrol trooper reasonably indicate that 1299
emergency assistance is appropriate, or the peace officer 1300
requests emergency assistance and in the request the peace 1301
officer specifies a particular location and the state highway 1302
patrol trooper arrives at that location prior to the time that 1303
the peace officer arrives at that location and the circumstances 1304
observed by the state highway patrol trooper reasonably indicate 1305

that emergency assistance is appropriate. 1306

(b) The superintendent of the state highway patrol shall 1307
establish, within sixty days of August 8, 1991, a policy that 1308
sets forth the manner and procedures by which a state highway 1309
patrol trooper may render emergency assistance to any other 1310
peace officer under division (D) (2) (a) of this section. The 1311
policy shall include a provision that a state highway patrol 1312
trooper never be used as a peace officer in connection with any 1313
strike or labor dispute. 1314

(3) (a) A state highway patrol trooper who renders 1315
emergency assistance to any other peace officer under the policy 1316
established by the superintendent pursuant to division (D) (2) (b) 1317
of this section shall be considered to be performing regular 1318
employment for the purposes of compensation, pension, indemnity 1319
fund rights, workers' compensation, and other rights or benefits 1320
to which the trooper may be entitled as incident to regular 1321
employment. 1322

(b) A state highway patrol trooper who renders emergency 1323
assistance to any other peace officer under the policy 1324
established by the superintendent pursuant to division (D) (2) (b) 1325
of this section retains personal immunity from liability as 1326
specified in section 9.86 of the Revised Code. 1327

(c) A state highway patrol trooper who renders emergency 1328
assistance under the policy established by the superintendent 1329
pursuant to division (D) (2) (b) of this section has the same 1330
authority as the peace officer for or with whom the state 1331
highway patrol trooper is providing emergency assistance. 1332

(E) (1) Subject to the availability of funds specifically 1333
appropriated by the general assembly for security detail 1334

purposes, the state highway patrol shall provide security as 1335
follows: 1336

(a) For the governor; 1337

(b) At the direction of the governor, for other officials 1338
of the state government of this state; officials of the state 1339
governments of other states who are visiting this state; 1340
officials of the United States government who are visiting this 1341
state; officials of the governments of foreign countries or 1342
their political subdivisions who are visiting this state; or 1343
other officials or dignitaries who are visiting this state, 1344
including, but not limited to, members of trade missions; 1345

(c) For the capitol square, as defined in section 105.41 1346
of the Revised Code; 1347

(d) For the ~~Vern Riffe~~ Tawnya Salyer memorial center and 1348
the James A. Rhodes state office tower, as directed by the 1349
department of public safety; 1350

(e) For other state property. 1351

(2) To carry out the security responsibilities of the 1352
patrol listed in division (E) (1) of this section, the 1353
superintendent may assign state highway patrol troopers to a 1354
separate unit that is responsible for security details. The 1355
number of troopers assigned to particular security details shall 1356
be determined by the superintendent. 1357

(3) The superintendent and any state highway patrol 1358
trooper, when providing security pursuant to division (E) (1) (a) 1359
or (b) of this section, have the same arrest powers as other 1360
peace officers to apprehend offenders against the criminal laws 1361
who endanger or threaten the security of any person being 1362
protected, no matter where the offense occurs. 1363

The superintendent, any state highway patrol trooper, and any special police officer designated under section 5503.09 of the Revised Code, if providing security pursuant to division (E) (1) (c) of this section, shall enforce any rules governing capitol square adopted by the capitol square review and advisory board.

(F) The governor may order the state highway patrol to undertake major criminal investigations that involve state property interests. If an investigation undertaken pursuant to this division results in either the issuance of a no bill or the filing of an indictment, the superintendent shall file a complete and accurate report of the investigation with the president of the senate, the speaker of the house of representatives, the minority leader of the senate, and the minority leader of the house of representatives within fifteen days after the issuance of the no bill or the filing of an indictment. If the investigation does not have as its result any prosecutorial action, the superintendent shall, upon reporting this fact to the governor, file a complete and accurate report of the investigation with the president of the senate, the speaker of the house of representatives, the minority leader of the senate, and the minority leader of the house of representatives.

(G) The superintendent may purchase or lease real property and buildings needed by the patrol, negotiate the sale of real property owned by the patrol, rent or lease real property owned or leased by the patrol, and make or cause to be made repairs to all property owned or under the control of the patrol. Any instrument by which real property is acquired pursuant to this division shall identify the agency of the state that has the use and benefit of the real property as specified in section

5301.012 of the Revised Code.	1395
Sections 123.01 and 125.02 of the Revised Code do not	1396
limit the powers granted to the superintendent by this division.	1397
Section 2. That existing sections 9.50, 101.311, 123.01,	1398
123.011, 123.29, 2923.16, 5502.01, and 5503.02 of the Revised	1399
Code are hereby repealed.	1400