

As Passed by the House

131st General Assembly

Regular Session

2015-2016

Sub. H. B. No. 235

Representative Terhar

Cosponsors: Representatives Antani, Becker, Blessing, Brenner, Dever, Perales, Johnson, T., LaTourette, Maag, Romanchuk, Schaffer, Anielski, Arndt, Baker, Boose, Brown, Buchy, Burkley, Butler, Cera, Conditt, Derickson, Dovilla, Fedor, Ginter, Green, Grossman, Hackett, Hagan, Hall, Hambley, Hayes, Henne, Hill, Hood, Huffman, Koehler, Landis, Manning, McClain, McColley, O'Brien, M., O'Brien, S., Pelanda, Retherford, Rezabek, Roegner, Rogers, Ruhl, Ryan, Scherer, Schuring, Sears, Sheehy, Slaby, Smith, R., Sprague, Thompson, Vitale, Young, Zeltwanger

A BILL

To amend section 2923.125 of the Revised Code to
waive the concealed carry license fee for active
members of the armed forces and retired and
honorably discharged veterans, to accept
military experience with firearms as proof of
competency with firearms regardless of when the
applicant for a license acquired the experience,
and to permit a licensee to renew a concealed
handgun license at any time prior to the
expiration of the license.

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

Section 1. That section 2923.125 of the Revised Code be
amended to read as follows:

Sec. 2923.125. It is the intent of the general assembly

that Ohio concealed handgun license law be compliant with the 14
national instant criminal background check system, that the 15
bureau of alcohol, tobacco, firearms, and explosives is able to 16
determine that Ohio law is compliant with the national instant 17
criminal background check system, and that no person shall be 18
eligible to receive a concealed handgun license permit under 19
section 2923.125 or 2923.1213 of the Revised Code unless the 20
person is eligible lawfully to receive or possess a firearm in 21
the United States. 22

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

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

adjacent to the county in which the applicant resides. An 45
applicant for a license who resides in another state shall 46
submit a completed application form and all of the material and 47
information described in divisions (B) (1) to (7) of this section 48
to the sheriff of the county in which the applicant is employed 49
or to the sheriff of any county adjacent to the county in which 50
the applicant is employed: 51

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

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

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

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

(c) A sheriff shall waive the payment of the license fee 64
described in division (B) (1) (a) of this section in connection 65
with an initial or renewal application for a license that is 66
submitted by an applicant who is an active or reserve member of 67
the armed forces of the United States or has retired from or was 68
honorably discharged from military service in the active or 69
reserve armed forces of the United States, a retired peace 70
officer, a retired person described in division (B) (1) (b) of 71
section 109.77 of the Revised Code, or a retired federal law 72
enforcement officer who, prior to retirement, was authorized 73

under federal law to carry a firearm in the course of duty, 74
unless the retired peace officer, person, or federal law 75
enforcement officer retired as the result of a mental 76
disability. 77

(d) The sheriff shall deposit all fees paid by an 78
applicant under division (B) (1) (a) of this section into the 79
sheriff's concealed handgun license issuance fund established 80
pursuant to section 311.42 of the Revised Code. The county shall 81
distribute the fees in accordance with section 311.42 of the 82
Revised Code. 83

(2) A color photograph of the applicant that was taken 84
within thirty days prior to the date of the application; 85

(3) One or more of the following competency 86
certifications, each of which shall reflect that, regarding a 87
certification described in division (B) (3) (a), (b), (c), (e), or 88
(f) of this section, within the three years immediately 89
preceding the application the applicant has performed that to 90
which the competency certification relates and that, regarding a 91
certification described in division (B) (3) (d) of this section, 92
the applicant currently is an active or reserve member of the 93
armed forces of the United States, the applicant has retired 94
from or was honorably discharged from military service in the 95
active or reserve armed forces of the United States, or within 96
the ten years immediately preceding the application the 97
~~honorable discharge or retirement of the peace officer, person~~ 98
described in division (B) (1) (b) of section 109.77 of the Revised 99
Code, or federal law enforcement officer to which the competency 100
certification relates occurred: 101

(a) An original or photocopy of a certificate of 102
completion of a firearms safety, training, or requalification or 103

firearms safety instructor course, class, or program that was 104
offered by or under the auspices of a national gun advocacy 105
organization and that complies with the requirements set forth 106
in division (G) of this section; 107

(b) An original or photocopy of a certificate of 108
completion of a firearms safety, training, or requalification or 109
firearms safety instructor course, class, or program that 110
satisfies all of the following criteria: 111

(i) It was open to members of the general public. 112

(ii) It utilized qualified instructors who were certified 113
by a national gun advocacy organization, the executive director 114
of the Ohio peace officer training commission pursuant to 115
section 109.75 or 109.78 of the Revised Code, or a governmental 116
official or entity of another state. 117

(iii) It was offered by or under the auspices of a law 118
enforcement agency of this or another state or the United 119
States, a public or private college, university, or other 120
similar postsecondary educational institution located in this or 121
another state, a firearms training school located in this or 122
another state, or another type of public or private entity or 123
organization located in this or another state. 124

(iv) It complies with the requirements set forth in 125
division (G) of this section. 126

(c) An original or photocopy of a certificate of 127
completion of a state, county, municipal, or department of 128
natural resources peace officer training school that is approved 129
by the executive director of the Ohio peace officer training 130
commission pursuant to section 109.75 of the Revised Code and 131
that complies with the requirements set forth in division (G) of 132

this section, or the applicant has satisfactorily completed and 133
been issued a certificate of completion of a basic firearms 134
training program, a firearms requalification training program, 135
or another basic training program described in section 109.78 or 136
109.801 of the Revised Code that complies with the requirements 137
set forth in division (G) of this section; 138

(d) A document that evidences both of the following: 139

(i) That the applicant is an active or reserve member of 140
the armed forces of the United States, has retired from or was 141
honorably discharged from military service in the active or 142
reserve armed forces of the United States, is a retired trooper 143
of the state highway patrol, or is a retired peace officer or 144
federal law enforcement officer described in division (B) (1) of 145
this section or a retired person described in division (B) (1) (b) 146
of section 109.77 of the Revised Code and division (B) (1) of 147
this section; 148

(ii) That, through participation in the military service 149
or through the former employment described in division (B) (3) (d) 150
(i) of this section, the applicant acquired experience with 151
handling handguns or other firearms, and the experience so 152
acquired was equivalent to training that the applicant could 153
have acquired in a course, class, or program described in 154
division (B) (3) (a), (b), or (c) of this section. 155

(e) A certificate or another similar document that 156
evidences satisfactory completion of a firearms training, 157
safety, or requalification or firearms safety instructor course, 158
class, or program that is not otherwise described in division 159
(B) (3) (a), (b), (c), or (d) of this section, that was conducted 160
by an instructor who was certified by an official or entity of 161
the government of this or another state or the United States or 162

by a national gun advocacy organization, and that complies with 163
the requirements set forth in division (G) of this section; 164

(f) An affidavit that attests to the applicant's 165
satisfactory completion of a course, class, or program described 166
in division (B)(3)(a), (b), (c), or (e) of this section and that 167
is subscribed by the applicant's instructor or an authorized 168
representative of the entity that offered the course, class, or 169
program or under whose auspices the course, class, or program 170
was offered; 171

(g) A document that evidences that the applicant has 172
successfully completed the Ohio peace officer training program 173
described in section 109.79 of the Revised Code. 174

(4) A certification by the applicant that the applicant 175
has read the pamphlet prepared by the Ohio peace officer 176
training commission pursuant to section 109.731 of the Revised 177
Code that reviews firearms, dispute resolution, and use of 178
deadly force matters. 179

(5) A set of fingerprints of the applicant provided as 180
described in section 311.41 of the Revised Code through use of 181
an electronic fingerprint reading device or, if the sheriff to 182
whom the application is submitted does not possess and does not 183
have ready access to the use of such a reading device, on a 184
standard impression sheet prescribed pursuant to division (C)(2) 185
of section 109.572 of the Revised Code. 186

(6) If the applicant is not a citizen or national of the 187
United States, the name of the applicant's country of 188
citizenship and the applicant's alien registration number issued 189
by the United States citizenship and immigration services 190
agency. 191

(7) If the applicant resides in another state, adequate proof of employment in Ohio.	192 193
(C) Upon receipt of the completed application form, supporting documentation, and, if not waived, license fee of an applicant under this section, a sheriff, in the manner specified in section 311.41 of the Revised Code, shall conduct or cause to be conducted the criminal records check and the incompetency records check described in section 311.41 of the Revised Code.	194 195 196 197 198 199
(D) (1) Except as provided in division (D) (3) of this section, within forty-five days after a sheriff's receipt of an applicant's completed application form for a concealed handgun license under this section, the supporting documentation, and, if not waived, the license fee, the sheriff shall make available through the law enforcement automated data system in accordance with division (H) of this section the information described in that division and, upon making the information available through the system, shall issue to the applicant a concealed handgun license that shall expire as described in division (D) (2) (a) of this section if all of the following apply:	200 201 202 203 204 205 206 207 208 209 210
(a) The applicant is legally living in the United States. For purposes of division (D) (1) (a) of this section, if a person is absent from the United States in compliance with military or naval orders as an active or reserve member of the armed forces of the United States and if prior to leaving the United States the person was legally living in the United States, the person, solely by reason of that absence, shall not be considered to have lost the person's status as living in the United States.	211 212 213 214 215 216 217 218
(b) The applicant is at least twenty-one years of age.	219
(c) The applicant is not a fugitive from justice.	220

(d) The applicant is not under indictment for or otherwise 221
charged with a felony; an offense under Chapter 2925., 3719., or 222
4729. of the Revised Code that involves the illegal possession, 223
use, sale, administration, or distribution of or trafficking in 224
a drug of abuse; a misdemeanor offense of violence; or a 225
violation of section 2903.14 or 2923.1211 of the Revised Code. 226

(e) Except as otherwise provided in division (D) (4) or (5) 227
of this section, the applicant has not been convicted of or 228
pleaded guilty to a felony or an offense under Chapter 2925., 229
3719., or 4729. of the Revised Code that involves the illegal 230
possession, use, sale, administration, or distribution of or 231
trafficking in a drug of abuse; has not been adjudicated a 232
delinquent child for committing an act that if committed by an 233
adult would be a felony or would be an offense under Chapter 234
2925., 3719., or 4729. of the Revised Code that involves the 235
illegal possession, use, sale, administration, or distribution 236
of or trafficking in a drug of abuse; has not been convicted of, 237
pleaded guilty to, or adjudicated a delinquent child for 238
committing a violation of section 2903.13 of the Revised Code 239
when the victim of the violation is a peace officer, regardless 240
of whether the applicant was sentenced under division (C) (4) of 241
that section; and has not been convicted of, pleaded guilty to, 242
or adjudicated a delinquent child for committing any other 243
offense that is not previously described in this division that 244
is a misdemeanor punishable by imprisonment for a term exceeding 245
one year. 246

(f) Except as otherwise provided in division (D) (4) or (5) 247
of this section, the applicant, within three years of the date 248
of the application, has not been convicted of or pleaded guilty 249
to a misdemeanor offense of violence other than a misdemeanor 250
violation of section 2921.33 of the Revised Code or a violation 251

of section 2903.13 of the Revised Code when the victim of the 252
violation is a peace officer, or a misdemeanor violation of 253
section 2923.1211 of the Revised Code; and has not been 254
adjudicated a delinquent child for committing an act that if 255
committed by an adult would be a misdemeanor offense of violence 256
other than a misdemeanor violation of section 2921.33 of the 257
Revised Code or a violation of section 2903.13 of the Revised 258
Code when the victim of the violation is a peace officer or for 259
committing an act that if committed by an adult would be a 260
misdemeanor violation of section 2923.1211 of the Revised Code. 261

(g) Except as otherwise provided in division (D) (1) (e) of 262
this section, the applicant, within five years of the date of 263
the application, has not been convicted of, pleaded guilty to, 264
or adjudicated a delinquent child for committing two or more 265
violations of section 2903.13 or 2903.14 of the Revised Code. 266

(h) Except as otherwise provided in division (D) (4) or (5) 267
of this section, the applicant, within ten years of the date of 268
the application, has not been convicted of, pleaded guilty to, 269
or adjudicated a delinquent child for committing a violation of 270
section 2921.33 of the Revised Code. 271

(i) The applicant has not been adjudicated as a mental 272
defective, has not been committed to any mental institution, is 273
not under adjudication of mental incompetence, has not been 274
found by a court to be a mentally ill person subject to court 275
order, and is not an involuntary patient other than one who is a 276
patient only for purposes of observation. As used in this 277
division, "mentally ill person subject to court order" and 278
"patient" have the same meanings as in section 5122.01 of the 279
Revised Code. 280

(j) The applicant is not currently subject to a civil 281

protection order, a temporary protection order, or a protection order issued by a court of another state. 282
283

(k) The applicant certifies that the applicant desires a legal means to carry a concealed handgun for defense of the applicant or a member of the applicant's family while engaged in lawful activity. 284
285
286
287

(l) The applicant submits a competency certification of the type described in division (B) (3) of this section and submits a certification of the type described in division (B) (4) of this section regarding the applicant's reading of the pamphlet prepared by the Ohio peace officer training commission pursuant to section 109.731 of the Revised Code. 288
289
290
291
292
293

(m) The applicant currently is not subject to a suspension imposed under division (A) (2) of section 2923.128 of the Revised Code of a concealed handgun license that previously was issued to the applicant under this section or section 2923.1213 of the Revised Code or a similar suspension imposed by another state regarding a concealed handgun license issued by that state. 294
295
296
297
298
299

(n) If the applicant resides in another state, the applicant is employed in this state. 300
301

(o) The applicant certifies that the applicant is not an unlawful user of or addicted to any controlled substance as defined in 21 U.S.C. 802. 302
303
304

(p) If the applicant is not a United States citizen, the applicant is an alien and has not been admitted to the United States under a nonimmigrant visa, as defined in the "Immigration and Nationality Act," 8 U.S.C. 1101(a) (26). 305
306
307
308

(q) The applicant has not been discharged from the armed forces of the United States under dishonorable conditions. 309
310

(r) The applicant certifies that the applicant has not 311
renounced the applicant's United States citizenship, if 312
applicable. 313

(s) The applicant has not been convicted of, pleaded 314
guilty to, or adjudicated a delinquent child for committing a 315
violation of section 2919.25 of the Revised Code or a similar 316
violation in another state. 317

(2) (a) A concealed handgun license that a sheriff issues 318
under division (D) (1) of this section shall expire five years 319
after the date of issuance. 320

If a sheriff issues a license under this section, the 321
sheriff shall place on the license a unique combination of 322
letters and numbers identifying the license in accordance with 323
the procedure prescribed by the Ohio peace officer training 324
commission pursuant to section 109.731 of the Revised Code. 325

(b) If a sheriff denies an application under this section 326
because the applicant does not satisfy the criteria described in 327
division (D) (1) of this section, the sheriff shall specify the 328
grounds for the denial in a written notice to the applicant. The 329
applicant may appeal the denial pursuant to section 119.12 of 330
the Revised Code in the county served by the sheriff who denied 331
the application. If the denial was as a result of the criminal 332
records check conducted pursuant to section 311.41 of the 333
Revised Code and if, pursuant to section 2923.127 of the Revised 334
Code, the applicant challenges the criminal records check 335
results using the appropriate challenge and review procedure 336
specified in that section, the time for filing the appeal 337
pursuant to section 119.12 of the Revised Code and this division 338
is tolled during the pendency of the request or the challenge 339
and review. 340

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

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

(4) If an applicant has been convicted of or pleaded guilty to an offense identified in division (D) (1) (e), (f), or (h) of this section or has been adjudicated a delinquent child for committing an act or violation identified in any of those divisions, and if a court has ordered the sealing or expungement of the records of that conviction, guilty plea, or adjudication pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 2953.36, or section 2953.37 of the Revised Code or the applicant has been relieved under operation of law or legal process from the disability imposed pursuant to section 2923.13 of the Revised Code relative to that conviction, guilty plea, or adjudication, the sheriff with whom the application was

submitted shall not consider the conviction, guilty plea, or 372
adjudication in making a determination under division (D) (1) or 373
(F) of this section or, in relation to an application for a 374
concealed handgun license on a temporary emergency basis 375
submitted under section 2923.1213 of the Revised Code, in making 376
a determination under division (B) (2) of that section. 377

(5) If an applicant has been convicted of or pleaded 378
guilty to a minor misdemeanor offense or has been adjudicated a 379
delinquent child for committing an act or violation that is a 380
minor misdemeanor offense, the sheriff with whom the application 381
was submitted shall not consider the conviction, guilty plea, or 382
adjudication in making a determination under division (D) (1) or 383
(F) of this section or, in relation to an application for a 384
concealed handgun license on a temporary basis submitted under 385
section 2923.1213 of the Revised Code, in making a determination 386
under division (B) (2) of that section. 387

(E) If a concealed handgun license issued under this 388
section is lost or is destroyed, the licensee may obtain from 389
the sheriff who issued that license a duplicate license upon the 390
payment of a fee of fifteen dollars and the submission of an 391
affidavit attesting to the loss or destruction of the license. 392
The sheriff, in accordance with the procedures prescribed in 393
section 109.731 of the Revised Code, shall place on the 394
replacement license a combination of identifying numbers 395
different from the combination on the license that is being 396
replaced. 397

(F) (1) (a) Except as provided in division (F) (1) (b) of this 398
section, a licensee who wishes to renew a concealed handgun 399
license issued under this section ~~shall~~ may do so ~~not earlier~~ 400
~~than ninety days~~ at any time before the expiration date of the 401

license or at any time after the expiration date of the license 402
by filing with the sheriff of the county in which the applicant 403
resides or with the sheriff of an adjacent county, or in the 404
case of ~~a~~ an applicant who resides in another state with the 405
sheriff of the county that issued the applicant's previous 406
concealed handgun license an application for renewal of the 407
license obtained pursuant to division (D) of this section, a 408
certification by the applicant that, subsequent to the issuance 409
of the license, the applicant has reread the pamphlet prepared 410
by the Ohio peace officer training commission pursuant to 411
section 109.731 of the Revised Code that reviews firearms, 412
dispute resolution, and use of deadly force matters, and a 413
nonrefundable license renewal fee in an amount determined 414
pursuant to division (F) (4) of this section unless the fee is 415
waived. 416

(b) A person on active duty in the armed forces of the 417
United States or in service with the peace corps, volunteers in 418
service to America, or the foreign service of the United States 419
is exempt from the license requirements of this section for the 420
period of the person's active duty or service and for six months 421
thereafter, provided the person was a licensee under this 422
section at the time the person commenced the person's active 423
duty or service or had obtained a license while on active duty 424
or service. The spouse or a dependent of any such person on 425
active duty or in service also is exempt from the license 426
requirements of this section for the period of the person's 427
active duty or service and for six months thereafter, provided 428
the spouse or dependent was a licensee under this section at the 429
time the person commenced the active duty or service or had 430
obtained a license while the person was on active duty or 431
service, and provided further that the person's active duty or 432

service resulted in the spouse or dependent relocating outside 433
of this state during the period of the active duty or service. 434
This division does not prevent such a person or the person's 435
spouse or dependent from making an application for the renewal 436
of a concealed handgun license during the period of the person's 437
active duty or service. 438

(2) A sheriff shall accept a completed renewal 439
application, the license renewal fee, and the information 440
specified in division (F)(1) of this section at the times and in 441
the manners described in division (I) of this section. Upon 442
receipt of a completed renewal application, of certification 443
that the applicant has reread the specified pamphlet prepared by 444
the Ohio peace officer training commission, and of a license 445
renewal fee unless the fee is waived, a sheriff, in the manner 446
specified in section 311.41 of the Revised Code shall conduct or 447
cause to be conducted the criminal records check and the 448
incompetency records check described in section 311.41 of the 449
Revised Code. The sheriff shall renew the license if the sheriff 450
determines that the applicant continues to satisfy the 451
requirements described in division (D)(1) of this section, 452
except that the applicant is not required to meet the 453
requirements of division (D)(1)(1) of this section. A renewed 454
license shall expire five years after the date of issuance. A 455
renewed license is subject to division (E) of this section and 456
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 457
shall comply with divisions (D)(2) and (3) of this section when 458
the circumstances described in those divisions apply to a 459
requested license renewal. If a sheriff denies the renewal of a 460
concealed handgun license, the applicant may appeal the denial, 461
or challenge the criminal record check results that were the 462
basis of the denial if applicable, in the same manner as 463

specified in division (D) (2) (b) of this section and in section 464
2923.127 of the Revised Code, regarding the denial of a license 465
under this section. 466

(3) A renewal application submitted pursuant to division 467
(F) of this section shall only require the licensee to list on 468
the application form information and matters occurring since the 469
date of the licensee's last application for a license pursuant 470
to division (B) or (F) of this section. A sheriff conducting the 471
criminal records check and the incompetency records check 472
described in section 311.41 of the Revised Code shall conduct 473
the check only from the date of the licensee's last application 474
for a license pursuant to division (B) or (F) of this section 475
through the date of the renewal application submitted pursuant 476
to division (F) of this section. 477

(4) An applicant for a renewal concealed handgun license 478
under this section shall submit to the sheriff of the county in 479
which the applicant resides or to the sheriff of any county 480
adjacent to the county in which the applicant resides, or in the 481
case of an applicant who resides in another state to the sheriff 482
of the county that issued the applicant's previous concealed 483
handgun license, a nonrefundable license fee as described in 484
either of the following: 485

(a) For an applicant who has been a resident of this state 486
for five or more years, a fee of fifty dollars; 487

(b) For an applicant who has been a resident of this state 488
for less than five years or who is not a resident of this state 489
but who is employed in this state, a fee of fifty dollars plus 490
the actual cost of having a background check performed by the 491
federal bureau of investigation. 492

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

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

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

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

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

(d) Gun handling training;

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

(2) To satisfactorily complete the course, class, or program described in division (B) (3) (a), (b), (c), or (e) of

this section, the applicant shall pass a competency examination 522
that shall include both of the following: 523

(a) A written section, provided as described in division 524
(G) (3) of this section, on the ability to name and explain the 525
rules for the safe handling of a handgun and proper storage 526
practices for handguns and ammunition; 527

(b) An in-person physical demonstration of competence in 528
the use of a handgun and in the rules for safe handling and 529
storage of a handgun and a physical demonstration of the 530
attitude necessary to shoot a handgun in a safe manner. 531

(3) (a) Except as otherwise provided in this division, the 532
training specified in division (G) (1) (a) of this section shall 533
be provided to the person receiving the training in person by an 534
instructor. If the training specified in division (G) (1) (a) of 535
this section is provided by a course, class, or program 536
described in division (B) (3) (a) of this section, or it is 537
provided by a course, class, or program described in division 538
(B) (3) (b), (c), or (e) of this section and the instructor is a 539
qualified instructor certified by a national gun advocacy 540
organization, the training so specified, other than the training 541
that requires the person receiving the training to demonstrate 542
handling abilities, may be provided online or as a combination 543
of in-person and online training, as long as the online training 544
includes an interactive component that regularly engages the 545
person. 546

(b) Except as otherwise provided in this division, the 547
written section of the competency examination specified in 548
division (G) (2) (a) of this section shall be administered to the 549
person taking the competency examination in person by an 550
instructor. If the training specified in division (G) (1) (a) of 551

this section is provided to the person receiving the training by 552
a course, class, or program described in division (B) (3) (a) of 553
this section, or it is provided by a course, class, or program 554
described in division (B) (3) (b), (c), or (e) of this section and 555
the instructor is a qualified instructor certified by a national 556
gun advocacy organization, the written section of the competency 557
examination specified in division (G) (2) (a) of this section may 558
be administered online, as long as the online training includes 559
an interactive component that regularly engages the person. 560

(4) The competency certification described in division (B) 561
(3) (a), (b), (c), or (e) of this section shall be dated and 562
shall attest that the course, class, or program the applicant 563
successfully completed met the requirements described in 564
division (G) (1) of this section and that the applicant passed 565
the competency examination described in division (G) (2) of this 566
section. 567

(H) Upon deciding to issue a concealed handgun license, 568
deciding to issue a replacement concealed handgun license, or 569
deciding to renew a concealed handgun license pursuant to this 570
section, and before actually issuing or renewing the license, 571
the sheriff shall make available through the law enforcement 572
automated data system all information contained on the license. 573
If the license subsequently is suspended under division (A) (1) 574
or (2) of section 2923.128 of the Revised Code, revoked pursuant 575
to division (B) (1) of section 2923.128 of the Revised Code, or 576
lost or destroyed, the sheriff also shall make available through 577
the law enforcement automated data system a notation of that 578
fact. The superintendent of the state highway patrol shall 579
ensure that the law enforcement automated data system is so 580
configured as to permit the transmission through the system of 581
the information specified in this division. 582

(I) A sheriff shall accept a completed application form or 583
renewal application, and the fee, items, materials, and 584
information specified in divisions (B) (1) to (5) or division (F) 585
of this section, whichever is applicable, and shall provide an 586
application form or renewal application to any person during at 587
least fifteen hours a week and shall provide the web site 588
address at which a printable version of the application form 589
that can be downloaded and the pamphlet described in division 590
(B) of section 109.731 of the Revised Code may be found at any 591
time, upon request. The sheriff shall post notice of the hours 592
during which the sheriff is available to accept or provide the 593
information described in this division. 594

Section 2. That existing section 2923.125 of the Revised 595
Code is hereby repealed. 596

Section 3. Section 2923.125 of the Revised Code is 597
presented in this act as a composite of the section as amended 598
by both Am. Sub. H.B. 234 and Am. Sub. S.B. 43 of the 130th 599
General Assembly. The General Assembly, applying the principle 600
stated in division (B) of section 1.52 of the Revised Code that 601
amendments are to be harmonized if reasonably capable of 602
simultaneous operation, finds that the composite is the 603
resulting version of the section in effect prior to the 604
effective date of the section as presented in this act. 605