

**As Reported by the House Government Oversight Committee**

**135th General Assembly**

**Regular Session**

**2023-2024**

**Am. H. B. No. 272**

**Representatives Mathews, Pizzulli**

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**A BILL**

To amend sections 2923.123 and 2923.14 of the  
Revised Code to allow a concealed handgun  
licensee to carry a handgun in a building or  
structure that is not a courthouse but in which  
a courtroom is located in specified  
circumstances and to permit a nonresident of  
Ohio to obtain statutory relief from firearms  
disability based on an Ohio conviction, guilty  
plea, or delinquent child adjudication.

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

**Section 1.** That sections 2923.123 and 2923.14 of the  
Revised Code be amended to read as follows:

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

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

|                                                                  |    |
|------------------------------------------------------------------|----|
| (C) This section does not apply to any of the following:         | 20 |
| (1) Except as provided in division (E) of this section, a        | 21 |
| judge of a court of record of this state or a magistrate;        | 22 |
| (2) A peace officer, officer of a law enforcement agency,        | 23 |
| or person who is in either of the following categories:          | 24 |
| (a) Except as provided in division (E) of this section, a        | 25 |
| peace officer, or an officer of a law enforcement agency of      | 26 |
| another state, a political subdivision of another state, or the  | 27 |
| United States, who is authorized to carry a deadly weapon or     | 28 |
| dangerous ordnance, who possesses or has under that individual's | 29 |
| control a deadly weapon or dangerous ordnance as a requirement   | 30 |
| of that individual's duties, and who is acting within the scope  | 31 |
| of that individual's duties at the time of that possession or    | 32 |
| control;                                                         | 33 |
| (b) Except as provided in division (E) of this section, a        | 34 |
| person who is employed in this state, who is authorized to carry | 35 |
| a deadly weapon or dangerous ordnance, who possesses or has      | 36 |
| under that individual's control a deadly weapon or dangerous     | 37 |
| ordnance as a requirement of that person's duties, and who is    | 38 |
| subject to and in compliance with the requirements of section    | 39 |
| 109.801 of the Revised Code, unless the appointing authority of  | 40 |
| the person has expressly specified that the exemption provided   | 41 |
| in division (C) (2) (b) of this section does not apply to the    | 42 |
| person.                                                          | 43 |
| (3) A person who conveys, attempts to convey, possesses,         | 44 |
| or has under the person's control a deadly weapon or dangerous   | 4  |

bailiff or deputy bailiff of a court of record of this state who 49  
is authorized to carry a firearm pursuant to section 109.77 of 50  
the Revised Code, who possesses or has under that individual's 51  
control a firearm as a requirement of that individual's duties, 52  
and who is acting within the scope of that individual's duties 53  
at the time of that possession or control; 54

(5) Except as provided in division (E) of this section, a 55  
prosecutor, or a secret service officer appointed by a county 56  
prosecuting attorney, who is authorized to carry a deadly weapon 57  
or dangerous ordnance in the performance of the individual's 58  
duties, who possesses or has under that individual's control a 59  
deadly weapon or dangerous ordnance as a requirement of that 60  
individual's duties, and who is acting within the scope of that 61  
individual's duties at the time of that possession or control; 62

(6) Except as provided in ~~division~~ divisions (C) (7) and 63  
(E) of this section, a person who conveys or attempts to convey 64  
a handgun into a courthouse or into another building or 65  
structure in which a courtroom is located, if the person has 66  
been issued a concealed handgun license that is valid at the 67  
time of the conveyance or attempt or, at the time of the 68  
conveyance or attempt, the person is an active duty member of 69  
the armed forces of the United States and is carrying a valid 70  
military identification card and documentation of successful 71  
completion of firearms training that meets or exceeds the 72  
training requirements described in division (G) (1) of section 73  
2923.125 of the Revised Code, and if in either case the person 74  
transfers possession of the handgun to the officer or officer's 75  
designee who has charge of the courthouse or building. The 76  
officer shall secure the handgun until the licensee is prepared 77  
to leave the premises. The exemption described in this division 78  
applies only if the officer who has charge of the courthouse or 79

building provides services of the nature described in this 80  
division. An officer who has charge of the courthouse or 81  
building is not required to offer services of the nature 82  
described in this division. 83

(7) A person who conveys or attempts to convey a handgun 84  
into a building or structure in which a courtroom is located or 85  
possesses or has under the person's control a handgun in a 86  
building or structure in which a courtroom is located, if the 87  
person has been issued a concealed handgun license that is valid 88  
at the time of the conveyance, attempted conveyance, possession, 89  
or control if all of the following apply: 90

(a) The building or structure in which the courtroom is 91  
located is not a courthouse. 92

(b) The building or structure in which the courtroom is 93  
located is a government facility of this state or a political 94  
subdivision of this state. 95

(c) The court and the office of the clerk of the court are 96  
not in operation at the time of the conveyance, possession, or 97  
control. 98

(d) The governing body with authority over the building or 99  
structure in which the courtroom is located has enacted a 100  
statute, ordinance, or policy that permits a concealed handgun 101  
licensee to convey, possess, or control a handgun into the 102  
building or structure in which the courtroom is located. 103

(D) (1) Whoever violates division (A) of this section is 104  
guilty of illegal conveyance of a deadly weapon or dangerous 105  
ordnance into a courthouse. Except as otherwise provided

the offender previously has been convicted of a violation of 109  
division (A) or (B) of this section, illegal conveyance of a 110  
deadly weapon or dangerous ordnance into a courthouse is a 111  
felony of the fourth degree. 112

(2) Whoever violates division (B) of this section is 113  
guilty of illegal possession or control of a deadly weapon or 114  
dangerous ordnance in a courthouse. Except as otherwise provided 115  
in this division, illegal possession or control of a deadly 116  
weapon or dangerous ordnance in a courthouse is a felony of the 117  
fifth degree. If the offender previously has been convicted of a 118  
violation of division (A) or (B) of this section, illegal 119  
possession or control of a deadly weapon or dangerous ordnance 120  
in a courthouse is a felony of the fourth degree. 121

(E) The exemptions described in divisions (C) (1), (2) (a), 122  
(2) (b), (4), (5), and (6) of this section do not apply to any 123  
judge, magistrate, peace officer, officer of a law enforcement 124  
agency, bailiff, deputy bailiff, prosecutor, secret service 125  
officer, or other person described in any of those divisions if 126  
a rule of superintendence or another type of rule adopted by the 127  
supreme court pursuant to Article IV, Ohio Constitution, or an 128  
applicable local rule of court prohibits all persons from 129  
conveying or attempting to convey a deadly weapon or dangerous 130  
ordnance into a courthouse or into another building or structure 131  
in which a courtroom is located or from possessing or having 132  
under one's control a deadly weapon or dangerous ordnance in a 133  
courthouse or in another building or structure in which a 134  
courtroom is located. 135

(F) As used in this section: 136

(1) "Governing body" has the same meaning as in section 137  
154.01 of the Revised Code. 138

(2) "Government facility of the state or a political 139  
subdivision of this state" has the same meaning as in section 140  
2923.126 of the Revised Code. 141

(3) "Magistrate" means an individual who is appointed by a 142  
court of record of this state and who has the powers and may 143  
perform the functions specified in Civil Rule 53, Criminal Rule 144  
19, or Juvenile Rule 40. 145

~~(2)~~ (4) "Peace officer" and "prosecutor" have the same 146  
meanings as in section 2935.01 of the Revised Code. 147

**Sec. 2923.14.** (A) (1) Except as otherwise provided in 148  
division (A) (2) of this section, any person who is prohibited 149  
from acquiring, having, carrying, or using firearms may apply to 150  
the court of common pleas ~~in the county in which the person~~ 151  
~~resides~~ specified in this division for relief from such 152  
prohibition. An application for relief from the prohibition</

(B) The application shall recite the following: 168

(1) All indictments, convictions or guilty pleas, or 169  
adjudications upon which the applicant's disability is based, 170  
the sentence imposed and served, and any release granted under a 171  
community control sanction, post-release control sanction, or 172  
parole, any partial or conditional pardon granted, or other 173  
disposition of each case, or, if the disability is based upon a 174  
factor other than an indictment, a conviction or guilty plea, or 175  
an adjudication, the factor upon which the disability is based 176  
and all details related to that factor; 177

(2) Facts showing the applicant to be a fit subject for 178  
relief under this section. 179

(C) A copy of the application shall be served on the 180  
county prosecutor. The county prosecutor shall cause the matter 181  
to be investigated and shall raise before the court any 182  
objections to granting relief that the investigation reveals. 183

(D) Upon hearing, the court may grant the applicant relief 184  
pursuant to this section, if all of the following apply: 185

(1) One of the following applies: 186

(a) If the disability is based upon an indictment, a 187  
conviction or guilty plea, or an adjudication, the applicant has 188  
been fully discharged from imprisonment, community control, 189  
post-release control

discharge or release, and appears likely to continue to do so. 196

(3) The applicant is not otherwise prohibited by law from 197  
acquiring, having, or using firearms. 198

(E) Costs of the proceeding shall be charged as in other 199  
civil cases, and taxed to the applicant. 200

(F) Relief from disability granted pursuant to this 201  
section restores the applicant to all civil firearm rights to 202  
the full extent enjoyed by any citizen, and is subject to the 203  
following conditions: 204

(1) Applies only with respect to indictments, convictions 205  
or guilty pleas, or adjudications, or to the other factor, 206  
recited in the application as the basis for the applicant's 207  
disability; 208

(2) Applies only with respect to firearms lawfully 209  
acquired, possessed, carried, or used by the applicant; 210

(3) May be revoked by the court at any time for good cause 211  
shown and upon notice to the applicant; 212

(4) Is automatically void upon commission by the applicant 213  
of any offense set forth in division (A)(2) or (3) of section 214  
2923.13 of the Revised Code, or upon the applicant's becoming 215  
one of the class of persons named in division (A)(1), (4), or 216  
(5) of that section. 217

(G) As used in this section:



Revised Code. 223

**Section 2.** That existing sections 2923.123 and 2923.14 of 224  
the Revised Code are hereby repealed. 225