

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**H. B. No. 46**

**Representatives Thomas, C., Grim**

**Cosponsors: Representatives Sweeney, Rader, Piccolantonio, Brent, Upchurch,  
Denson, Brennan, Mohamed, Synenberg, Abdullahi, Russo, Isaacsohn**

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**A BILL**

To amend sections 109.57, 2923.125, 2923.128, 1  
2923.1213, and 2923.13 and to enact sections 2  
2923.26, 2923.27, 2923.28, 2923.29, 2923.30, and 3  
2923.99 of the Revised Code to enact the Extreme 4  
Risk Protection Order Act to allow certain 5  
persons to obtain a court order that temporarily 6  
restricts a person's access to firearms under 7  
specified circumstances. 8

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

**Section 1.** That sections 109.57, 2923.125, 2923.128, 9  
2923.1213, and 2923.13 be amended and sections 2923.26, 2923.27, 10  
2923.28, 2923.29, 2923.30, and 2923.99 of the Revised Code be 11  
enacted to read as follows: 12

**Sec. 109.57.** (A) (1) The superintendent of the bureau of 13  
criminal identification and investigation shall procure from 14  
wherever procurable and file for record photographs, pictures, 15  
descriptions, fingerprints, measurements, and other information 16  
that may be pertinent of all persons who have been convicted of 17  
committing within this state a felony, any crime constituting a 18

misdemeanor on the first offense and a felony on subsequent 19  
offenses, or any misdemeanor described in division (A) (1) (a), 20  
(A) (4) (a), or (A) (6) (a) of section 109.572 of the Revised Code, 21  
of all children under eighteen years of age who have been 22  
adjudicated delinquent children for committing within this state 23  
an act that would be a felony or an offense of violence if 24  
committed by an adult or who have been convicted of or pleaded 25  
guilty to committing within this state a felony or an offense of 26  
violence, and of all well-known and habitual criminals. The 27  
person in charge of any county, multicounty, municipal, 28  
municipal-county, or multicounty-municipal jail or workhouse, 29  
community-based correctional facility, halfway house, 30  
alternative residential facility, or state correctional 31  
institution and the person in charge of any state institution 32  
having custody of a person suspected of having committed a 33  
felony, any crime constituting a misdemeanor on the first 34  
offense and a felony on subsequent offenses, or any misdemeanor 35  
described in division (A) (1) (a), (A) (4) (a), or (A) (6) (a) of 36  
section 109.572 of the Revised Code or having custody of a child 37  
under eighteen years of age with respect to whom there is 38  
probable cause to believe that the child may have committed an 39  
act that would be a felony or an offense of violence if 40  
committed by an adult shall furnish such material to the 41  
superintendent of the bureau. Fingerprints, photographs, or 42  
other descriptive information of a child who is under eighteen 43  
years of age, has not been arrested or otherwise taken into 44  
custody for committing an act that would be a felony or an 45  
offense of violence who is not in any other category of child 46  
specified in this division, if committed by an adult, has not 47  
been adjudicated a delinquent child for committing an act that 48  
would be a felony or an offense of violence if committed by an 49  
adult, has not been convicted of or pleaded guilty to committing 50

a felony or an offense of violence, and is not a child with 51  
respect to whom there is probable cause to believe that the 52  
child may have committed an act that would be a felony or an 53  
offense of violence if committed by an adult shall not be 54  
procured by the superintendent or furnished by any person in 55  
charge of any county, multicounty, municipal, municipal-county, 56  
or multicounty-municipal jail or workhouse, community-based 57  
correctional facility, halfway house, alternative residential 58  
facility, or state correctional institution, except as 59  
authorized in section 2151.313 of the Revised Code. 60

(2) Every clerk of a court of record in this state, other 61  
than the supreme court or a court of appeals, shall send to the 62  
superintendent of the bureau a weekly report containing a 63  
summary of each case involving a felony, involving any crime 64  
constituting a misdemeanor on the first offense and a felony on 65  
subsequent offenses, involving a misdemeanor described in 66  
division (A) (1) (a), (A) (4) (a), or (A) (6) (a) of section 109.572 67  
of the Revised Code, or involving an adjudication in a case in 68  
which a child under eighteen years of age was alleged to be a 69  
delinquent child for committing an act that would be a felony or 70  
an offense of violence if committed by an adult. The clerk of 71  
the court of common pleas shall include in the report and 72  
summary the clerk sends under this division all information 73  
described in divisions (A) (2) (a) to (f) of this section 74  
regarding a case before the court of appeals that is served by 75  
that clerk. The summary shall be written on the standard forms 76  
furnished by the superintendent pursuant to division (B) of this 77  
section and shall include the following information: 78

(a) The incident tracking number contained on the standard 79  
forms furnished by the superintendent pursuant to division (B) 80  
of this section; 81

|                                                                  |     |
|------------------------------------------------------------------|-----|
| (b) The style and number of the case;                            | 82  |
| (c) The date of arrest, offense, summons, or arraignment;        | 83  |
| (d) The date that the person was convicted of or pleaded         | 84  |
| guilty to the offense, adjudicated a delinquent child for        | 85  |
| committing the act that would be a felony or an offense of       | 86  |
| violence if committed by an adult, found not guilty of the       | 87  |
| offense, or found not to be a delinquent child for committing an | 88  |
| act that would be a felony or an offense of violence if          | 89  |
| committed by an adult, the date of an entry dismissing the       | 90  |
| charge, an entry declaring a mistrial of the offense in which    | 91  |
| the person is discharged, an entry finding that the person or    | 92  |
| child is not competent to stand trial, or an entry of a nolle    | 93  |
| prosequi, or the date of any other determination that            | 94  |
| constitutes final resolution of the case;                        | 95  |
| (e) A statement of the original charge with the section of       | 96  |
| the Revised Code that was alleged to be violated;                | 97  |
| (f) If the person or child was convicted, pleaded guilty,        | 98  |
| or was adjudicated a delinquent child, the sentence or terms of  | 99  |
| probation imposed or any other disposition of the offender or    | 100 |
| the delinquent child.                                            | 101 |
| If the offense involved the disarming of a law enforcement       | 102 |
| officer or an attempt to disarm a law enforcement officer, the   | 103 |
| clerk shall clearly state that fact in the summary, and the      | 104 |
| superintendent shall ensure that a clear statement of that fact  | 105 |
| is placed in the bureau's records.                               | 106 |
| (3) The superintendent shall cooperate with and assist           | 107 |
| sheriffs, chiefs of police, and other law enforcement officers   | 108 |
| in the establishment of a complete system of criminal            | 109 |
| identification and in obtaining fingerprints and other means of  | 110 |

identification of all persons arrested on a charge of a felony, 111  
any crime constituting a misdemeanor on the first offense and a 112  
felony on subsequent offenses, or a misdemeanor described in 113  
division (A) (1) (a), (A) (4) (a), or (A) (6) (a) of section 109.572 114  
of the Revised Code and of all children under eighteen years of 115  
age arrested or otherwise taken into custody for committing an 116  
act that would be a felony or an offense of violence if 117  
committed by an adult. The superintendent also shall file for 118  
record the fingerprint impressions of all persons confined in a 119  
county, multicounty, municipal, municipal-county, or 120  
multicounty-municipal jail or workhouse, community-based 121  
correctional facility, halfway house, alternative residential 122  
facility, or state correctional institution for the violation of 123  
state laws and of all children under eighteen years of age who 124  
are confined in a county, multicounty, municipal, municipal- 125  
county, or multicounty-municipal jail or workhouse, community- 126  
based correctional facility, halfway house, alternative 127  
residential facility, or state correctional institution or in 128  
any facility for delinquent children for committing an act that 129  
would be a felony or an offense of violence if committed by an 130  
adult, and any other information that the superintendent may 131  
receive from law enforcement officials of the state and its 132  
political subdivisions. 133

(4) The superintendent shall carry out Chapter 2950. of 134  
the Revised Code with respect to the registration of persons who 135  
are convicted of or plead guilty to a sexually oriented offense 136  
or a child-victim oriented offense and with respect to all other 137  
duties imposed on the bureau under that chapter. 138

(5) The bureau shall perform centralized recordkeeping 139  
functions for criminal history records and services in this 140  
state for purposes of the national crime prevention and privacy 141

compact set forth in section 109.571 of the Revised Code and is 142  
the criminal history record repository as defined in that 143  
section for purposes of that compact. The superintendent or the 144  
superintendent's designee is the compact officer for purposes of 145  
that compact and shall carry out the responsibilities of the 146  
compact officer specified in that compact. 147

(6) The superintendent shall, upon request, assist a 148  
county coroner in the identification of a deceased person 149  
through the use of fingerprint impressions obtained pursuant to 150  
division (A) (1) of this section or collected pursuant to section 151  
109.572 or 311.41 of the Revised Code. 152

(B) The superintendent shall prepare and furnish to every 153  
county, multicounty, municipal, municipal-county, or 154  
multicounty-municipal jail or workhouse, community-based 155  
correctional facility, halfway house, alternative residential 156  
facility, or state correctional institution and to every clerk 157  
of a court in this state specified in division (A) (2) of this 158  
section standard forms for reporting the information required 159  
under division (A) of this section. The standard forms that the 160  
superintendent prepares pursuant to this division may be in a 161  
tangible format, in an electronic format, or in both tangible 162  
formats and electronic formats. 163

(C) (1) The superintendent may operate a center for 164  
electronic, automated, or other data processing for the storage 165  
and retrieval of information, data, and statistics pertaining to 166  
criminals and to children under eighteen years of age who are 167  
adjudicated delinquent children for committing an act that would 168  
be a felony or an offense of violence if committed by an adult, 169  
criminal activity, crime prevention, law enforcement, and 170  
criminal justice, and may establish and operate a statewide 171

communications network to be known as the Ohio law enforcement 172  
gateway to gather and disseminate information, data, and 173  
statistics for the use of law enforcement agencies and for other 174  
uses specified in this division. The superintendent may gather, 175  
store, retrieve, and disseminate information, data, and 176  
statistics that pertain to children who are under eighteen years 177  
of age and that are gathered pursuant to sections 109.57 to 178  
109.61 of the Revised Code together with information, data, and 179  
statistics that pertain to adults and that are gathered pursuant 180  
to those sections. 181

(2) The superintendent or the superintendent's designee 182  
shall gather information of the nature described in division (C) 183  
(1) of this section that pertains to the offense and delinquency 184  
history of a person who has been convicted of, pleaded guilty 185  
to, or been adjudicated a delinquent child for committing a 186  
sexually oriented offense or a child-victim oriented offense for 187  
inclusion in the state registry of sex offenders and child- 188  
victim offenders maintained pursuant to division (A)(1) of 189  
section 2950.13 of the Revised Code and in the internet database 190  
operated pursuant to division (A)(13) of that section and for 191  
possible inclusion in the internet database operated pursuant to 192  
division (A)(11) of that section. 193

(3) In addition to any other authorized use of 194  
information, data, and statistics of the nature described in 195  
division (C)(1) of this section, the superintendent or the 196  
superintendent's designee may provide and exchange the 197  
information, data, and statistics pursuant to the national crime 198  
prevention and privacy compact as described in division (A)(5) 199  
of this section. 200

(4) The Ohio law enforcement gateway shall contain the 201

name, confidential address, and telephone number of program 202  
participants in the address confidentiality program established 203  
under sections 111.41 to 111.47 of the Revised Code. 204

(5) The attorney general may adopt rules under Chapter 205  
119. of the Revised Code establishing guidelines for the 206  
operation of and participation in the Ohio law enforcement 207  
gateway. The rules may include criteria for granting and 208  
restricting access to information gathered and disseminated 209  
through the Ohio law enforcement gateway. The attorney general 210  
shall adopt rules under Chapter 119. of the Revised Code that 211  
grant access to information in the gateway regarding an address 212  
confidentiality program participant under sections 111.41 to 213  
111.47 of the Revised Code to only chiefs of police, village 214  
marshals, county sheriffs, county prosecuting attorneys, and a 215  
designee of each of these individuals. The attorney general 216  
shall permit an office of a county coroner, the state medical 217  
board, and board of nursing to access and view, but not alter, 218  
information gathered and disseminated through the Ohio law 219  
enforcement gateway. 220

The attorney general may appoint a steering committee to 221  
advise the attorney general in the operation of the Ohio law 222  
enforcement gateway that is comprised of persons who are 223  
representatives of the criminal justice agencies in this state 224  
that use the Ohio law enforcement gateway and is chaired by the 225  
superintendent or the superintendent's designee. 226

(D) (1) The following are not public records under section 227  
149.43 of the Revised Code: 228

(a) Information and materials furnished to the 229  
superintendent pursuant to division (A) of this section; 230

(b) Information, data, and statistics gathered or 231  
disseminated through the Ohio law enforcement gateway pursuant 232  
to division (C) (1) of this section; 233

(c) Information and materials furnished to any board or 234  
person under division (F) or (G) of this section. 235

(2) The superintendent or the superintendent's designee 236  
shall gather and retain information so furnished under division 237  
(A) of this section that pertains to the offense and delinquency 238  
history of a person who has been convicted of, pleaded guilty 239  
to, or been adjudicated a delinquent child for committing a 240  
sexually oriented offense or a child-victim oriented offense for 241  
the purposes described in division (C) (2) of this section. 242

(E) (1) The attorney general shall adopt rules, in 243  
accordance with Chapter 119. of the Revised Code and subject to 244  
division (E) (2) of this section, setting forth the procedure by 245  
which a person may receive or release information gathered by 246  
the superintendent pursuant to division (A) of this section. A 247  
reasonable fee may be charged for this service. If a temporary 248  
employment service submits a request for a determination of 249  
whether a person the service plans to refer to an employment 250  
position has been convicted of or pleaded guilty to an offense 251  
listed or described in division (A) (1), (2), or (3) of section 252  
109.572 of the Revised Code, the request shall be treated as a 253  
single request and only one fee shall be charged. 254

(2) Except as otherwise provided in this division or 255  
division (E) (3) or (4) of this section, a rule adopted under 256  
division (E) (1) of this section may provide only for the release 257  
of information gathered pursuant to division (A) of this section 258  
that relates to the conviction of a person, or a person's plea 259  
of guilty to, a criminal offense or to the arrest of a person as 260

provided in division (E) (3) of this section. The superintendent 261  
shall not release, and the attorney general shall not adopt any 262  
rule under division (E) (1) of this section that permits the 263  
release of, any information gathered pursuant to division (A) of 264  
this section that relates to an adjudication of a child as a 265  
delinquent child, or that relates to a criminal conviction of a 266  
person under eighteen years of age if the person's case was 267  
transferred back to a juvenile court under division (B) (2) or 268  
(3) of section 2152.121 of the Revised Code and the juvenile 269  
court imposed a disposition or serious youthful offender 270  
disposition upon the person under either division, unless either 271  
of the following applies with respect to the adjudication or 272  
conviction: 273

(a) The adjudication or conviction was for a violation of 274  
section 2903.01 or 2903.02 of the Revised Code. 275

(b) The adjudication or conviction was for a sexually 276  
oriented offense, the juvenile court was required to classify 277  
the child a juvenile offender registrant for that offense under 278  
section 2152.82, 2152.83, or 2152.86 of the Revised Code, that 279  
classification has not been removed, and the records of the 280  
adjudication or conviction have not been sealed or expunged 281  
pursuant to sections 2151.355 to 2151.358 or sealed or expunged 282  
pursuant to section 2953.32 of the Revised Code. 283

(3) A rule adopted under division (E) (1) of this section 284  
may provide for the release of information gathered pursuant to 285  
division (A) of this section that relates to the arrest of a 286  
person who is eighteen years of age or older when the person has 287  
not been convicted as a result of that arrest if any of the 288  
following applies: 289

(a) The arrest was made outside of this state. 290

(b) A criminal action resulting from the arrest is 291  
pending, and the superintendent confirms that the criminal 292  
action has not been resolved at the time the criminal records 293  
check is performed. 294

(c) The bureau cannot reasonably determine whether a 295  
criminal action resulting from the arrest is pending, and not 296  
more than one year has elapsed since the date of the arrest. 297

(4) A rule adopted under division (E) (1) of this section 298  
may provide for the release of information gathered pursuant to 299  
division (A) of this section that relates to an adjudication of 300  
a child as a delinquent child if not more than five years have 301  
elapsed since the date of the adjudication, the adjudication was 302  
for an act that would have been a felony if committed by an 303  
adult, the records of the adjudication have not been sealed or 304  
expunged pursuant to sections 2151.355 to 2151.358 of the 305  
Revised Code, and the request for information is made under 306  
division (F) of this section or under section 109.572 of the 307  
Revised Code. In the case of an adjudication for a violation of 308  
the terms of community control or supervised release, the five- 309  
year period shall be calculated from the date of the 310  
adjudication to which the community control or supervised 311  
release pertains. 312

(F) (1) As used in division (F) (2) of this section, "head 313  
start agency" means an entity in this state that has been 314  
approved to be an agency for purposes of subchapter II of the 315  
"Community Economic Development Act," 95 Stat. 489 (1981), 42 316  
U.S.C.A. 9831, as amended. 317

(2) (a) In addition to or in conjunction with any request 318  
that is required to be made under section 109.572, 2151.86, 319  
3301.32, 3301.541, division (C) of section 3310.58, or section 320

3319.39, 3319.391, 3327.10, 3740.11, 5104.013, 5123.081, or 321  
5153.111 of the Revised Code or that is made under section 322  
3314.41, 3319.392, 3326.25, or 3328.20 of the Revised Code, the 323  
board of education of any school district; the director of 324  
developmental disabilities; any county board of developmental 325  
disabilities; any provider or subcontractor as defined in 326  
section 5123.081 of the Revised Code; the chief administrator of 327  
any chartered nonpublic school; the chief administrator of a 328  
registered private provider that is not also a chartered 329  
nonpublic school; the chief administrator of any home health 330  
agency; the chief administrator of or person operating any child 331  
care center, type A family child care home, or type B family 332  
child care home licensed under Chapter 5104. of the Revised 333  
Code; the chief administrator of or person operating any 334  
authorized private before and after school care program; the 335  
chief administrator of any head start agency; the executive 336  
director of a public children services agency; a private company 337  
described in section 3314.41, 3319.392, 3326.25, or 3328.20 of 338  
the Revised Code; or an employer described in division (J) (2) of 339  
section 3327.10 of the Revised Code may request that the 340  
superintendent of the bureau investigate and determine, with 341  
respect to any individual who has applied for employment in any 342  
position after October 2, 1989, or any individual wishing to 343  
apply for employment with a board of education may request, with 344  
regard to the individual, whether the bureau has any information 345  
gathered under division (A) of this section that pertains to 346  
that individual. On receipt of the request, subject to division 347  
(E) (2) of this section, the superintendent shall determine 348  
whether that information exists and, upon request of the person, 349  
board, or entity requesting information, also shall request from 350  
the federal bureau of investigation any criminal records it has 351  
pertaining to that individual. The superintendent or the 352

superintendent's designee also may request criminal history 353  
records from other states or the federal government pursuant to 354  
the national crime prevention and privacy compact set forth in 355  
section 109.571 of the Revised Code. Within thirty days of the 356  
date that the superintendent receives a request, subject to 357  
division (E)(2) of this section, the superintendent shall send 358  
to the board, entity, or person a report of any information that 359  
the superintendent determines exists, including information 360  
contained in records that have been sealed under section 2953.32 361  
of the Revised Code, and, within thirty days of its receipt, 362  
subject to division (E)(2) of this section, shall send the 363  
board, entity, or person a report of any information received 364  
from the federal bureau of investigation, other than information 365  
the dissemination of which is prohibited by federal law. 366

(b) When a board of education or a registered private 367  
provider is required to receive information under this section 368  
as a prerequisite to employment of an individual pursuant to 369  
division (C) of section 3310.58 or section 3319.39 of the 370  
Revised Code, it may accept a certified copy of records that 371  
were issued by the bureau of criminal identification and 372  
investigation and that are presented by an individual applying 373  
for employment with the district in lieu of requesting that 374  
information itself. In such a case, the board shall accept the 375  
certified copy issued by the bureau in order to make a photocopy 376  
of it for that individual's employment application documents and 377  
shall return the certified copy to the individual. In a case of 378  
that nature, a district or provider only shall accept a 379  
certified copy of records of that nature within one year after 380  
the date of their issuance by the bureau. 381

(c) Notwithstanding division (F)(2)(a) of this section, in 382  
the case of a request under section 3319.39, 3319.391, or 383

3327.10 of the Revised Code only for criminal records maintained 384  
by the federal bureau of investigation, the superintendent shall 385  
not determine whether any information gathered under division 386  
(A) of this section exists on the person for whom the request is 387  
made. 388

(3) The state board of education or the department of 389  
education and workforce may request, with respect to any 390  
individual who has applied for employment after October 2, 1989, 391  
in any position with the state board or the department of 392  
education and workforce, any information that a school district 393  
board of education is authorized to request under division (F) 394  
(2) of this section, and the superintendent of the bureau shall 395  
proceed as if the request has been received from a school 396  
district board of education under division (F) (2) of this 397  
section. 398

(4) When the superintendent of the bureau receives a 399  
request for information under section 3319.291 of the Revised 400  
Code, the superintendent shall proceed as if the request has 401  
been received from a school district board of education and 402  
shall comply with divisions (F) (2) (a) and (c) of this section. 403

(G) In addition to or in conjunction with any request that 404  
is required to be made under section 3712.09, 3721.121, or 405  
3740.11 of the Revised Code with respect to an individual who 406  
has applied for employment in a position that involves providing 407  
direct care to an older adult or adult resident, the chief 408  
administrator of a home health agency, hospice care program, 409  
home licensed under Chapter 3721. of the Revised Code, or adult 410  
day-care program operated pursuant to rules adopted under 411  
section 3721.04 of the Revised Code may request that the 412  
superintendent of the bureau investigate and determine, with 413

respect to any individual who has applied after January 27, 414  
1997, for employment in a position that does not involve 415  
providing direct care to an older adult or adult resident, 416  
whether the bureau has any information gathered under division 417  
(A) of this section that pertains to that individual. 418

In addition to or in conjunction with any request that is 419  
required to be made under section 173.27 of the Revised Code 420  
with respect to an individual who has applied for employment in 421  
a position that involves providing ombudsman services to 422  
residents of long-term care facilities or recipients of 423  
community-based long-term care services, the state long-term 424  
care ombudsman, the director of aging, a regional long-term care 425  
ombudsman program, or the designee of the ombudsman, director, 426  
or program may request that the superintendent investigate and 427  
determine, with respect to any individual who has applied for 428  
employment in a position that does not involve providing such 429  
ombudsman services, whether the bureau has any information 430  
gathered under division (A) of this section that pertains to 431  
that applicant. 432

In addition to or in conjunction with any request that is 433  
required to be made under section 173.38 of the Revised Code 434  
with respect to an individual who has applied for employment in 435  
a direct-care position, the chief administrator of a provider, 436  
as defined in section 173.39 of the Revised Code, may request 437  
that the superintendent investigate and determine, with respect 438  
to any individual who has applied for employment in a position 439  
that is not a direct-care position, whether the bureau has any 440  
information gathered under division (A) of this section that 441  
pertains to that applicant. 442

In addition to or in conjunction with any request that is 443

required to be made under section 3712.09 of the Revised Code 444  
with respect to an individual who has applied for employment in 445  
a position that involves providing direct care to a pediatric 446  
respite care patient, the chief administrator of a pediatric 447  
respite care program may request that the superintendent of the 448  
bureau investigate and determine, with respect to any individual 449  
who has applied for employment in a position that does not 450  
involve providing direct care to a pediatric respite care 451  
patient, whether the bureau has any information gathered under 452  
division (A) of this section that pertains to that individual. 453

On receipt of a request under this division, the 454  
superintendent shall determine whether that information exists 455  
and, on request of the individual requesting information, shall 456  
also request from the federal bureau of investigation any 457  
criminal records it has pertaining to the applicant. The 458  
superintendent or the superintendent's designee also may request 459  
criminal history records from other states or the federal 460  
government pursuant to the national crime prevention and privacy 461  
compact set forth in section 109.571 of the Revised Code. Within 462  
thirty days of the date a request is received, subject to 463  
division (E)(2) of this section, the superintendent shall send 464  
to the requester a report of any information determined to 465  
exist, including information contained in records that have been 466  
sealed under section 2953.32 of the Revised Code, and, within 467  
thirty days of its receipt, shall send the requester a report of 468  
any information received from the federal bureau of 469  
investigation, other than information the dissemination of which 470  
is prohibited by federal law. 471

(H) Information obtained by a government entity or person 472  
under this section is confidential and shall not be released or 473  
disseminated. 474

(I) The superintendent may charge a reasonable fee for 475  
providing information or criminal records under division (F) (2) 476  
or (G) of this section. 477

~~(J)~~(J) (1) The superintendent shall develop and prepare 478  
instructions and informational brochures, standard petitions, 479  
and extreme risk protection order forms, and a court staff 480  
handbook on the extreme risk protection order process. The 481  
standard petitions and order forms shall be prepared and 482  
available for use not later than six months after the effective 483  
date of this amendment, for all petitions filed and orders 484  
issued under sections 2923.26 to 2923.30 of the Revised Code. 485  
The instructions, brochures, forms, and handbook shall be 486  
prepared in consultation with interested parties, including 487  
representatives of gun violence prevention groups, judges, and 488  
law enforcement personnel. Materials shall be based on best 489  
practices and shall be made available online to the public. The 490  
petitions and petition forms referred to in divisions (J) (1) to 491  
(11) of this section mean both petitions for requesting an 492  
extreme risk protection order under section 2923.26 of the 493  
Revised Code and applications for requesting an ex parte extreme 494  
risk protection order under section 2923.27 of the Revised Code. 495

(2) The instructions shall be designed to assist 496  
petitioners in completing the petition, and shall include a 497  
sample of a standard petition and an extreme risk protection 498  
order form. 499

(3) The instructions and standard petition shall include a 500  
means for the petitioner to identify, without special knowledge, 501  
the firearms the respondent may own, possess, receive, or have 502  
in the respondent's custody or control. The instructions shall 503  
provide pictures of types of firearms that the petitioner may 504

choose from to identify the relevant firearms, or an equivalent 505  
means to allow petitioners to identify firearms without 506  
requiring specific or technical knowledge regarding the 507  
firearms. 508

(4) The informational brochure shall describe the use of 509  
and the process for obtaining, modifying, and terminating an 510  
extreme risk protection order under sections 2923.26 to 2923.30 511  
of the Revised Code and provide relevant forms. 512

(5) The extreme risk protection order form shall include, 513  
in a conspicuous location, notice of criminal penalties 514  
resulting from a violation of the order, and the following 515  
statement: 516

"You have the sole responsibility to avoid or refrain from 517  
violating this order's provisions. Only the court can change the 518  
order and only upon written application." 519

(6) The court staff handbook shall allow for a clerk of 520  
court to add to the handbook a community resource list. 521

(7) The superintendent shall distribute a master copy of 522  
the petition and order forms, instructions, and informational 523  
brochures to every clerk of court and shall distribute a master 524  
copy of the petition and order forms to all county courts, 525  
municipal courts, and courts of common pleas. 526

(8) The superintendent shall distribute all documents in 527  
an electronic format or formats accessible to all courts and 528  
clerks of court in the state and may additionally distribute the 529  
documents in other formats. 530

(9) The superintendent shall determine the significant 531  
non-English-speaking or limited English-speaking populations in 532  
the state and arrange for translation of the instructions and 533

informational brochures required by this section into the 534  
languages spoken by those populations. The translated 535  
instructions and informational brochures shall contain a sample 536  
of the standard petition and order for protection forms. The 537  
superintendent shall distribute a master copy of the translated 538  
instructions and informational brochures to every clerk of court 539  
not later than one year after the effective date of this 540  
amendment. 541

(10) The superintendent shall update the instructions, 542  
brochures, standard petitions, and extreme risk protection order 543  
forms, and court staff handbook as necessary, including when 544  
changes in the law make an update necessary. 545

(11) Any assistance or information provided by a clerk of 546  
court under division (J) of this section does not constitute the 547  
practice of law. 548

(K) In addition to informational brochures and materials 549  
made available by the superintendent under division (J) of this 550  
section, each clerk of court may create a community resource 551  
list of crisis intervention, mental health, substance abuse, 552  
interpreter, counseling, and other relevant resources serving 553  
the county in which the court is located. 554

(L) As used in this section: 555

(1) "Pediatric respite care program" and "pediatric care 556  
patient" have the same meanings as in section 3712.01 of the 557  
Revised Code. 558

(2) "Sexually oriented offense" and "child-victim oriented 559  
offense" have the same meanings as in section 2950.01 of the 560  
Revised Code. 561

(3) "Registered private provider" means a nonpublic school 562

or entity registered with the department of education and 563  
workforce under section 3310.41 of the Revised Code to 564  
participate in the autism scholarship program or section 3310.58 565  
of the Revised Code to participate in the Jon Peterson special 566  
needs scholarship program. 567

(4) "Extreme risk protection order" and "ex parte extreme 568  
risk protection order" have the same meanings as in section 569  
2923.26 of the Revised Code. 570

**Sec. 2923.125.** It is the intent of the general assembly 571  
that Ohio concealed handgun license law be compliant with the 572  
national instant criminal background check system, that the 573  
bureau of alcohol, tobacco, firearms, and explosives is able to 574  
determine that Ohio law is compliant with the national instant 575  
criminal background check system, and that no person shall be 576  
eligible to receive a concealed handgun license permit under 577  
section 2923.125 or 2923.1213 of the Revised Code unless the 578  
person is eligible lawfully to receive or possess a firearm in 579  
the United States. 580

(A) This section applies with respect to the application 581  
for and issuance by this state of concealed handgun licenses 582  
other than concealed handgun licenses on a temporary emergency 583  
basis that are issued under section 2923.1213 of the Revised 584  
Code. Upon the request of a person who wishes to obtain a 585  
concealed handgun license with respect to which this section 586  
applies or to renew a concealed handgun license with respect to 587  
which this section applies, a sheriff, as provided in division 588  
(I) of this section, shall provide to the person free of charge 589  
an application form and the web site address at which a 590  
printable version of the application form that can be downloaded 591  
and the pamphlet described in division (B) of section 109.731 of 592

the Revised Code may be found. A sheriff shall accept a 593  
completed application form and the fee, items, materials, and 594  
information specified in divisions (B) (1) to (5) of this section 595  
at the times and in the manners described in division (I) of 596  
this section. 597

(B) An applicant for a concealed handgun license who is a 598  
resident of this state shall submit a completed application form 599  
and all of the material and information described in divisions 600  
(B) (1) to (6) of this section to the sheriff of the county in 601  
which the applicant resides or to the sheriff of any county 602  
adjacent to the county in which the applicant resides. An 603  
applicant for a license who resides in another state shall 604  
submit a completed application form and all of the material and 605  
information described in divisions (B) (1) to (7) of this section 606  
to the sheriff of the county in which the applicant is employed 607  
or to the sheriff of any county adjacent to the county in which 608  
the applicant is employed: 609

(1) (a) A nonrefundable license fee as described in either 610  
of the following: 611

(i) For an applicant who has been a resident of this state 612  
for five or more years, a fee of sixty-seven dollars; 613

(ii) For an applicant who has been a resident of this 614  
state for less than five years or who is not a resident of this 615  
state, but who is employed in this state, a fee of sixty-seven 616  
dollars plus the actual cost of having a background check 617  
performed by the federal bureau of investigation. 618

(b) No sheriff shall require an applicant to pay for the 619  
cost of a background check performed by the bureau of criminal 620  
identification and investigation. 621

(c) A sheriff shall waive the payment of the license fee 622  
described in division (B) (1) (a) of this section in connection 623  
with an initial or renewal application for a license that is 624  
submitted by an applicant who is an active or reserve member of 625  
the armed forces of the United States or has retired from or was 626  
honorably discharged from military service in the active or 627  
reserve armed forces of the United States, a retired peace 628  
officer, a retired person described in division (B) (1) (b) of 629  
section 109.77 of the Revised Code, or a retired federal law 630  
enforcement officer who, prior to retirement, was authorized 631  
under federal law to carry a firearm in the course of duty, 632  
unless the retired peace officer, person, or federal law 633  
enforcement officer retired as the result of a mental 634  
disability. 635

(d) The sheriff shall deposit all fees paid by an 636  
applicant under division (B) (1) (a) of this section into the 637  
sheriff's concealed handgun license issuance fund established 638  
pursuant to section 311.42 of the Revised Code. The county shall 639  
distribute the fees in accordance with section 311.42 of the 640  
Revised Code. 641

(2) A color photograph of the applicant that was taken 642  
within thirty days prior to the date of the application; 643

(3) One or more of the following competency 644  
certifications, each of which shall reflect that, regarding a 645  
certification described in division (B) (3) (a), (b), (c), (e), or 646  
(f) of this section, within the three years immediately 647  
preceding the application the applicant has performed that to 648  
which the competency certification relates and that, regarding a 649  
certification described in division (B) (3) (d) of this section, 650  
the applicant currently is an active or reserve member of the 651

armed forces of the United States, the applicant has retired 652  
from or was honorably discharged from military service in the 653  
active or reserve armed forces of the United States, or within 654  
the ten years immediately preceding the application the 655  
retirement of the peace officer, person described in division 656  
(B) (1) (b) of section 109.77 of the Revised Code, or federal law 657  
enforcement officer to which the competency certification 658  
relates occurred: 659

(a) An original or photocopy of a certificate of 660  
completion of a firearms safety, training, or requalification or 661  
firearms safety instructor course, class, or program that was 662  
offered by or under the auspices of a national gun advocacy 663  
organization and that complies with the requirements set forth 664  
in division (G) of this section; 665

(b) An original or photocopy of a certificate of 666  
completion of a firearms safety, training, or requalification or 667  
firearms safety instructor course, class, or program that 668  
satisfies all of the following criteria: 669

(i) It was open to members of the general public. 670

(ii) It utilized qualified instructors who were certified 671  
by a national gun advocacy organization, the executive director 672  
of the Ohio peace officer training commission pursuant to 673  
section 109.75 or 109.78 of the Revised Code, or a governmental 674  
official or entity of another state. 675

(iii) It was offered by or under the auspices of a law 676  
enforcement agency of this or another state or the United 677  
States, a public or private college, university, or other 678  
similar postsecondary educational institution located in this or 679  
another state, a firearms training school located in this or 680

another state, or another type of public or private entity or 681  
organization located in this or another state. 682

(iv) It complies with the requirements set forth in 683  
division (G) of this section. 684

(c) An original or photocopy of a certificate of 685  
completion of a state, county, municipal, or department of 686  
natural resources peace officer training school that is approved 687  
by the executive director of the Ohio peace officer training 688  
commission pursuant to section 109.75 of the Revised Code and 689  
that complies with the requirements set forth in division (G) of 690  
this section, or the applicant has satisfactorily completed and 691  
been issued a certificate of completion of a basic firearms 692  
training program, a firearms requalification training program, 693  
or another basic training program described in section 109.78 or 694  
109.801 of the Revised Code that complies with the requirements 695  
set forth in division (G) of this section; 696

(d) A document that evidences both of the following: 697

(i) That the applicant is an active or reserve member of 698  
the armed forces of the United States, has retired from or was 699  
honorably discharged from military service in the active or 700  
reserve armed forces of the United States, is a retired trooper 701  
of the state highway patrol, or is a retired peace officer or 702  
federal law enforcement officer described in division (B) (1) of 703  
this section or a retired person described in division (B) (1) (b) 704  
of section 109.77 of the Revised Code and division (B) (1) of 705  
this section; 706

(ii) That, through participation in the military service 707  
or through the former employment described in division (B) (3) (d) 708  
(i) of this section, the applicant acquired experience with 709

handling handguns or other firearms, and the experience so 710  
acquired was equivalent to training that the applicant could 711  
have acquired in a course, class, or program described in 712  
division (B) (3) (a), (b), or (c) of this section. 713

(e) A certificate or another similar document that 714  
evidences satisfactory completion of a firearms training, 715  
safety, or requalification or firearms safety instructor course, 716  
class, or program that is not otherwise described in division 717  
(B) (3) (a), (b), (c), or (d) of this section, that was conducted 718  
by an instructor who was certified by an official or entity of 719  
the government of this or another state or the United States or 720  
by a national gun advocacy organization, and that complies with 721  
the requirements set forth in division (G) of this section; 722

(f) An affidavit that attests to the applicant's 723  
satisfactory completion of a course, class, or program described 724  
in division (B) (3) (a), (b), (c), or (e) of this section and that 725  
is subscribed by the applicant's instructor or an authorized 726  
representative of the entity that offered the course, class, or 727  
program or under whose auspices the course, class, or program 728  
was offered; 729

(g) A document that evidences that the applicant has 730  
successfully completed the Ohio peace officer training program 731  
described in section 109.79 of the Revised Code. 732

(4) A certification by the applicant that the applicant 733  
has read the pamphlet prepared by the Ohio peace officer 734  
training commission pursuant to section 109.731 of the Revised 735  
Code that reviews firearms, dispute resolution, and use of 736  
deadly force matters. 737

(5) A set of fingerprints of the applicant provided as 738

described in section 311.41 of the Revised Code through use of 739  
an electronic fingerprint reading device or, if the sheriff to 740  
whom the application is submitted does not possess and does not 741  
have ready access to the use of such a reading device, on a 742  
standard impression sheet prescribed pursuant to division (C) (2) 743  
of section 109.572 of the Revised Code. 744

(6) If the applicant is not a citizen or national of the 745  
United States, the name of the applicant's country of 746  
citizenship and the applicant's alien registration number issued 747  
by the United States citizenship and immigration services 748  
agency. 749

(7) If the applicant resides in another state, adequate 750  
proof of employment in Ohio. 751

(C) Upon receipt of the completed application form, 752  
supporting documentation, and, if not waived, license fee of an 753  
applicant under this section, a sheriff, in the manner specified 754  
in section 311.41 of the Revised Code, shall conduct or cause to 755  
be conducted the criminal records check and the incompetency 756  
records check described in section 311.41 of the Revised Code. 757

(D) (1) Except as provided in division (D) (3) of this 758  
section, within forty-five days after a sheriff's receipt of an 759  
applicant's completed application form for a concealed handgun 760  
license under this section, the supporting documentation, and, 761  
if not waived, the license fee, the sheriff shall make available 762  
through the law enforcement automated data system in accordance 763  
with division (H) of this section the information described in 764  
that division and, upon making the information available through 765  
the system, shall issue to the applicant a concealed handgun 766  
license that shall expire as described in division (D) (2) (a) of 767  
this section if all of the following apply: 768

(a) The applicant is legally living in the United States. 769  
For purposes of division (D) (1) (a) of this section, if a person 770  
is absent from the United States in compliance with military or 771  
naval orders as an active or reserve member of the armed forces 772  
of the United States and if prior to leaving the United States 773  
the person was legally living in the United States, the person, 774  
solely by reason of that absence, shall not be considered to 775  
have lost the person's status as living in the United States. 776

(b) The applicant is at least twenty-one years of age. 777

(c) The applicant is not a fugitive from justice. 778

(d) The applicant is not under indictment for or otherwise 779  
charged with a felony; an offense under Chapter 2925., 3719., or 780  
4729. of the Revised Code that involves the illegal possession, 781  
use, sale, administration, or distribution of or trafficking in 782  
a drug of abuse; a misdemeanor offense of violence; or a 783  
violation of section 2903.14 or 2923.1211 of the Revised Code. 784

(e) Except as otherwise provided in division (D) (4) or (5) 785  
of this section, the applicant has not been convicted of or 786  
pleaded guilty to a felony or an offense under Chapter 2925., 787  
3719., or 4729. of the Revised Code that involves the illegal 788  
possession, use, sale, administration, or distribution of or 789  
trafficking in a drug of abuse; has not been adjudicated a 790  
delinquent child for committing an act that if committed by an 791  
adult would be a felony or would be an offense under Chapter 792  
2925., 3719., or 4729. of the Revised Code that involves the 793  
illegal possession, use, sale, administration, or distribution 794  
of or trafficking in a drug of abuse; has not been convicted of, 795  
pleaded guilty to, or adjudicated a delinquent child for 796  
committing a violation of section 2903.13 of the Revised Code 797  
when the victim of the violation is a peace officer, regardless 798

of whether the applicant was sentenced under division ~~(C)~~(4)(C) 799  
(5) or (6) of that section; and has not been convicted of, 800  
pleaded guilty to, or adjudicated a delinquent child for 801  
committing any other offense that is not previously described in 802  
this division that is a misdemeanor punishable by imprisonment 803  
for a term exceeding one year. 804

(f) Except as otherwise provided in division (D) (4) or (5) 805  
of this section, the applicant, within three years of the date 806  
of the application, has not been convicted of or pleaded guilty 807  
to a misdemeanor offense of violence other than a misdemeanor 808  
violation of section 2921.33 of the Revised Code or a violation 809  
of section 2903.13 of the Revised Code when the victim of the 810  
violation is a peace officer, or a misdemeanor violation of 811  
section 2923.1211 of the Revised Code; and has not been 812  
adjudicated a delinquent child for committing an act that if 813  
committed by an adult would be a misdemeanor offense of violence 814  
other than a misdemeanor violation of section 2921.33 of the 815  
Revised Code or a violation of section 2903.13 of the Revised 816  
Code when the victim of the violation is a peace officer or for 817  
committing an act that if committed by an adult would be a 818  
misdemeanor violation of section 2923.1211 of the Revised Code. 819

(g) Except as otherwise provided in division (D) (1) (e) of 820  
this section, the applicant, within five years of the date of 821  
the application, has not been convicted of, pleaded guilty to, 822  
or adjudicated a delinquent child for committing two or more 823  
violations of section 2903.13 or 2903.14 of the Revised Code. 824

(h) Except as otherwise provided in division (D) (4) or (5) 825  
of this section, the applicant, within ten years of the date of 826  
the application, has not been convicted of, pleaded guilty to, 827  
or adjudicated a delinquent child for committing a violation of 828

section 2921.33 of the Revised Code. 829

(i) The applicant has not been committed to any mental 830  
institution, is not under adjudication of mental incompetence, 831  
has not been found by a court to be a person with a mental 832  
illness subject to court order, and is not an involuntary 833  
patient other than one who is a patient only for purposes of 834  
observation. As used in this division, "person with a mental 835  
illness subject to court order" and "patient" have the same 836  
meanings as in section 5122.01 of the Revised Code. 837

(j) The applicant is not currently subject to a civil 838  
protection order, a temporary protection order, an extreme risk 839  
protection order or ex parte extreme risk protection order 840  
issued under sections 2923.26 to 2923.30 of the Revised Code, or 841  
a protection order issued by a court of another state. 842

(k) The applicant certifies that the applicant desires a 843  
legal means to carry a concealed handgun for defense of the 844  
applicant or a member of the applicant's family while engaged in 845  
lawful activity. 846

(l) The applicant submits a competency certification of 847  
the type described in division (B) (3) of this section and 848  
submits a certification of the type described in division (B) (4) 849  
of this section regarding the applicant's reading of the 850  
pamphlet prepared by the Ohio peace officer training commission 851  
pursuant to section 109.731 of the Revised Code. 852

(m) The applicant currently is not subject to a suspension 853  
imposed under division (A) (2) of section 2923.128 of the Revised 854  
Code of a concealed handgun license that previously was issued 855  
to the applicant under this section or section 2923.1213 of the 856  
Revised Code or a similar suspension imposed by another state 857

regarding a concealed handgun license issued by that state. 858

(n) If the applicant resides in another state, the 859  
applicant is employed in this state. 860

(o) The applicant certifies that the applicant is not an 861  
unlawful user of or addicted to any controlled substance as 862  
defined in 21 U.S.C. 802. 863

(p) If the applicant is not a United States citizen, the 864  
applicant is an alien and has not been admitted to the United 865  
States under a nonimmigrant visa, as defined in the "Immigration 866  
and Nationality Act," 8 U.S.C. 1101(a)(26). 867

(q) The applicant has not been discharged from the armed 868  
forces of the United States under dishonorable conditions. 869

(r) The applicant certifies that the applicant has not 870  
renounced the applicant's United States citizenship, if 871  
applicable. 872

(s) The applicant has not been convicted of, pleaded 873  
guilty to, or adjudicated a delinquent child for committing a 874  
violation of section 2919.25 of the Revised Code or a similar 875  
violation in another state. 876

(2)(a) A concealed handgun license that a sheriff issues 877  
under division (D)(1) of this section shall expire five years 878  
after the date of issuance. 879

If a sheriff issues a license under this section, the 880  
sheriff shall place on the license a unique combination of 881  
letters and numbers identifying the license in accordance with 882  
the procedure prescribed by the Ohio peace officer training 883  
commission pursuant to section 109.731 of the Revised Code. 884

(b) If a sheriff denies an application under this section 885

because the applicant does not satisfy the criteria described in 886  
division (D) (1) of this section, the sheriff shall specify the 887  
grounds for the denial in a written notice to the applicant. The 888  
applicant may appeal the denial pursuant to section 119.12 of 889  
the Revised Code in the county served by the sheriff who denied 890  
the application. If the denial was as a result of the criminal 891  
records check conducted pursuant to section 311.41 of the 892  
Revised Code and if, pursuant to section 2923.127 of the Revised 893  
Code, the applicant challenges the criminal records check 894  
results using the appropriate challenge and review procedure 895  
specified in that section, the time for filing the appeal 896  
pursuant to section 119.12 of the Revised Code and this division 897  
is tolled during the pendency of the request or the challenge 898  
and review. 899

(c) If the court in an appeal under section 119.12 of the 900  
Revised Code and division (D) (2) (b) of this section enters a 901  
judgment sustaining the sheriff's refusal to grant to the 902  
applicant a concealed handgun license, the applicant may file a 903  
new application beginning one year after the judgment is 904  
entered. If the court enters a judgment in favor of the 905  
applicant, that judgment shall not restrict the authority of a 906  
sheriff to suspend or revoke the license pursuant to section 907  
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 908  
the license for any proper cause that may occur after the date 909  
the judgment is entered. In the appeal, the court shall have 910  
full power to dispose of all costs. 911

(3) If the sheriff with whom an application for a 912  
concealed handgun license was filed under this section becomes 913  
aware that the applicant has been arrested for or otherwise 914  
charged with an offense that would disqualify the applicant from 915  
holding the license, the sheriff shall suspend the processing of 916

the application until the disposition of the case arising from 917  
the arrest or charge. 918

(4) If an applicant has been convicted of or pleaded 919  
guilty to an offense identified in division (D)(1)(e), (f), or 920  
(h) of this section or has been adjudicated a delinquent child 921  
for committing an act or violation identified in any of those 922  
divisions, and if a court has ordered the sealing or expungement 923  
of the records of that conviction, guilty plea, or adjudication 924  
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 925  
2953.35, or section 2953.39 of the Revised Code or the applicant 926  
has been relieved under operation of law or legal process from 927  
the disability imposed pursuant to section 2923.13 of the 928  
Revised Code relative to that conviction, guilty plea, or 929  
adjudication, the sheriff with whom the application was 930  
submitted shall not consider the conviction, guilty plea, or 931  
adjudication in making a determination under division (D)(1) or 932  
(F) of this section or, in relation to an application for a 933  
concealed handgun license on a temporary emergency basis 934  
submitted under section 2923.1213 of the Revised Code, in making 935  
a determination under division (B)(2) of that section. 936

(5) If an applicant has been convicted of or pleaded 937  
guilty to a minor misdemeanor offense or has been adjudicated a 938  
delinquent child for committing an act or violation that is a 939  
minor misdemeanor offense, the sheriff with whom the application 940  
was submitted shall not consider the conviction, guilty plea, or 941  
adjudication in making a determination under division (D)(1) or 942  
(F) of this section or, in relation to an application for a 943  
concealed handgun license on a temporary basis submitted under 944  
section 2923.1213 of the Revised Code, in making a determination 945  
under division (B)(2) of that section. 946

(E) If a concealed handgun license issued under this 947  
section is lost or is destroyed, the licensee may obtain from 948  
the sheriff who issued that license a duplicate license upon the 949  
payment of a fee of fifteen dollars and the submission of an 950  
affidavit attesting to the loss or destruction of the license. 951  
The sheriff, in accordance with the procedures prescribed in 952  
section 109.731 of the Revised Code, shall place on the 953  
replacement license a combination of identifying numbers 954  
different from the combination on the license that is being 955  
replaced. 956

(F) (1) (a) Except as provided in division (F) (1) (b) of this 957  
section, a licensee who wishes to renew a concealed handgun 958  
license issued under this section may do so at any time before 959  
the expiration date of the license or at any time after the 960  
expiration date of the license by filing with the sheriff of the 961  
county in which the applicant resides or with the sheriff of an 962  
adjacent county, or in the case of an applicant who resides in 963  
another state with the sheriff of the county that issued the 964  
applicant's previous concealed handgun license an application 965  
for renewal of the license obtained pursuant to division (D) of 966  
this section, a certification by the applicant that, subsequent 967  
to the issuance of the license, the applicant has reread the 968  
pamphlet prepared by the Ohio peace officer training commission 969  
pursuant to section 109.731 of the Revised Code that reviews 970  
firearms, dispute resolution, and use of deadly force matters, 971  
and a nonrefundable license renewal fee in an amount determined 972  
pursuant to division (F) (4) of this section unless the fee is 973  
waived. 974

(b) A person on active duty in the armed forces of the 975  
United States or in service with the peace corps, volunteers in 976  
service to America, or the foreign service of the United States 977

is exempt from the license requirements of this section for the 978  
period of the person's active duty or service and for six months 979  
thereafter, provided the person was a licensee under this 980  
section at the time the person commenced the person's active 981  
duty or service or had obtained a license while on active duty 982  
or service. The spouse or a dependent of any such person on 983  
active duty or in service also is exempt from the license 984  
requirements of this section for the period of the person's 985  
active duty or service and for six months thereafter, provided 986  
the spouse or dependent was a licensee under this section at the 987  
time the person commenced the active duty or service or had 988  
obtained a license while the person was on active duty or 989  
service, and provided further that the person's active duty or 990  
service resulted in the spouse or dependent relocating outside 991  
of this state during the period of the active duty or service. 992  
This division does not prevent such a person or the person's 993  
spouse or dependent from making an application for the renewal 994  
of a concealed handgun license during the period of the person's 995  
active duty or service. 996

(2) A sheriff shall accept a completed renewal 997  
application, the license renewal fee, and the information 998  
specified in division (F)(1) of this section at the times and in 999  
the manners described in division (I) of this section. Upon 1000  
receipt of a completed renewal application, of certification 1001  
that the applicant has reread the specified pamphlet prepared by 1002  
the Ohio peace officer training commission, and of a license 1003  
renewal fee unless the fee is waived, a sheriff, in the manner 1004  
specified in section 311.41 of the Revised Code shall conduct or 1005  
cause to be conducted the criminal records check and the 1006  
incompetency records check described in section 311.41 of the 1007  
Revised Code. The sheriff shall renew the license if the sheriff 1008

determines that the applicant continues to satisfy the 1009  
requirements described in division (D) (1) of this section, 1010  
except that the applicant is not required to meet the 1011  
requirements of division (D) (1) (1) of this section. A renewed 1012  
license shall expire five years after the date of issuance. A 1013  
renewed license is subject to division (E) of this section and 1014  
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 1015  
shall comply with divisions (D) (2) and (3) of this section when 1016  
the circumstances described in those divisions apply to a 1017  
requested license renewal. If a sheriff denies the renewal of a 1018  
concealed handgun license, the applicant may appeal the denial, 1019  
or challenge the criminal record check results that were the 1020  
basis of the denial if applicable, in the same manner as 1021  
specified in division (D) (2) (b) of this section and in section 1022  
2923.127 of the Revised Code, regarding the denial of a license 1023  
under this section. 1024

(3) A renewal application submitted pursuant to division 1025  
(F) of this section shall only require the licensee to list on 1026  
the application form information and matters occurring since the 1027  
date of the licensee's last application for a license pursuant 1028  
to division (B) or (F) of this section. A sheriff conducting the 1029  
criminal records check and the incompetency records check 1030  
described in section 311.41 of the Revised Code shall conduct 1031  
the check only from the date of the licensee's last application 1032  
for a license pursuant to division (B) or (F) of this section 1033  
through the date of the renewal application submitted pursuant 1034  
to division (F) of this section. 1035

(4) An applicant for a renewal concealed handgun license 1036  
under this section shall submit to the sheriff of the county in 1037  
which the applicant resides or to the sheriff of any county 1038  
adjacent to the county in which the applicant resides, or in the 1039

case of an applicant who resides in another state to the sheriff 1040  
of the county that issued the applicant's previous concealed 1041  
handgun license, a nonrefundable license fee as described in 1042  
either of the following: 1043

(a) For an applicant who has been a resident of this state 1044  
for five or more years, a fee of fifty dollars; 1045

(b) For an applicant who has been a resident of this state 1046  
for less than five years or who is not a resident of this state 1047  
but who is employed in this state, a fee of fifty dollars plus 1048  
the actual cost of having a background check performed by the 1049  
federal bureau of investigation. 1050

(5) The concealed handgun license of a licensee who is no 1051  
longer a resident of this state or no longer employed in this 1052  
state, as applicable, is valid until the date of expiration on 1053  
the license, and the licensee is prohibited from renewing the 1054  
concealed handgun license. 1055

(G) (1) Each course, class, or program described in 1056  
division (B) (3) (a), (b), (c), or (e) of this section shall 1057  
provide to each person who takes the course, class, or program 1058  
the web site address at which the pamphlet prepared by the Ohio 1059  
peace officer training commission pursuant to section 109.731 of 1060  
the Revised Code that reviews firearms, dispute resolution, and 1061  
use of deadly force matters may be found. Each such course, 1062  
class, or program described in one of those divisions shall 1063  
include at least eight hours of training in the safe handling 1064  
and use of a firearm that shall include training, provided as 1065  
described in division (G) (3) of this section, on all of the 1066  
following: 1067

(a) The ability to name, explain, and demonstrate the 1068

rules for safe handling of a handgun and proper storage 1069  
practices for handguns and ammunition; 1070

(b) The ability to demonstrate and explain how to handle 1071  
ammunition in a safe manner; 1072

(c) The ability to demonstrate the knowledge, skills, and 1073  
attitude necessary to shoot a handgun in a safe manner; 1074

(d) Gun handling training; 1075

(e) A minimum of two hours of in-person training that 1076  
consists of range time and live-fire training. 1077

(2) To satisfactorily complete the course, class, or 1078  
program described in division (B) (3) (a), (b), (c), or (e) of 1079  
this section, the applicant shall pass a competency examination 1080  
that shall include both of the following: 1081

(a) A written section, provided as described in division 1082  
(G) (3) of this section, on the ability to name and explain the 1083  
rules for the safe handling of a handgun and proper storage 1084  
practices for handguns and ammunition; 1085

(b) An in-person physical demonstration of competence in 1086  
the use of a handgun and in the rules for safe handling and 1087  
storage of a handgun and a physical demonstration of the 1088  
attitude necessary to shoot a handgun in a safe manner. 1089

(3) (a) Except as otherwise provided in this division, the 1090  
training specified in division (G) (1) (a) of this section shall 1091  
be provided to the person receiving the training in person by an 1092  
instructor. If the training specified in division (G) (1) (a) of 1093  
this section is provided by a course, class, or program 1094  
described in division (B) (3) (a) of this section, or it is 1095  
provided by a course, class, or program described in division 1096

(B) (3) (b), (c), or (e) of this section and the instructor is a 1097  
qualified instructor certified by a national gun advocacy 1098  
organization, the training so specified, other than the training 1099  
that requires the person receiving the training to demonstrate 1100  
handling abilities, may be provided online or as a combination 1101  
of in-person and online training, as long as the online training 1102  
includes an interactive component that regularly engages the 1103  
person. 1104

(b) Except as otherwise provided in this division, the 1105  
written section of the competency examination specified in 1106  
division (G) (2) (a) of this section shall be administered to the 1107  
person taking the competency examination in person by an 1108  
instructor. If the training specified in division (G) (1) (a) of 1109  
this section is provided to the person receiving the training by 1110  
a course, class, or program described in division (B) (3) (a) of 1111  
this section, or it is provided by a course, class, or program 1112  
described in division (B) (3) (b), (c), or (e) of this section and 1113  
the instructor is a qualified instructor certified by a national 1114  
gun advocacy organization, the written section of the competency 1115  
examination specified in division (G) (2) (a) of this section may 1116  
be administered online, as long as the online training includes 1117  
an interactive component that regularly engages the person. 1118

(4) The competency certification described in division (B) 1119  
(3) (a), (b), (c), or (e) of this section shall be dated and 1120  
shall attest that the course, class, or program the applicant 1121  
successfully completed met the requirements described in 1122  
division (G) (1) of this section and that the applicant passed 1123  
the competency examination described in division (G) (2) of this 1124  
section. 1125

(H) Upon deciding to issue a concealed handgun license, 1126

deciding to issue a replacement concealed handgun license, or 1127  
deciding to renew a concealed handgun license pursuant to this 1128  
section, and before actually issuing or renewing the license, 1129  
the sheriff shall make available through the law enforcement 1130  
automated data system all information contained on the license. 1131  
If the license subsequently is suspended under division (A) (1) 1132  
or (2) of section 2923.128 of the Revised Code, revoked pursuant 1133  
to division (B) (1) of section 2923.128 of the Revised Code, or 1134  
lost or destroyed, the sheriff also shall make available through 1135  
the law enforcement automated data system a notation of that 1136  
fact. The superintendent of the state highway patrol shall 1137  
ensure that the law enforcement automated data system is so 1138  
configured as to permit the transmission through the system of 1139  
the information specified in this division. 1140

(I) (1) A sheriff shall accept a completed application form 1141  
or renewal application, and the fee, items, materials, and 1142  
information specified in divisions (B) (1) to (5) or division (F) 1143  
of this section, whichever is applicable, and shall provide an 1144  
application form or renewal application to any person during at 1145  
least fifteen hours a week and shall provide the web site 1146  
address at which a printable version of the application form 1147  
that can be downloaded and the pamphlet described in division 1148  
(B) of section 109.731 of the Revised Code may be found at any 1149  
time, upon request. The sheriff shall post notice of the hours 1150  
during which the sheriff is available to accept or provide the 1151  
information described in this division. 1152

(2) A sheriff shall transmit a notice to the attorney 1153  
general, in a manner determined by the attorney general, every 1154  
time a license is issued that waived payment under division (B) 1155  
(1) (c) of this section for an applicant who is an active or 1156  
reserve member of the armed forces of the United States or has 1157

retired from or was honorably discharged from military service 1158  
in the active or reserve armed forces of the United States. The 1159  
attorney general shall monitor and inform sheriffs issuing 1160  
licenses under this section when the amount of license fee 1161  
payments waived and transmitted to the attorney general reach 1162  
one million five hundred thousand dollars each year. Once a 1163  
sheriff is informed that the payments waived reached one million 1164  
five hundred thousand dollars in any year, a sheriff shall no 1165  
longer waive payment of a license fee for an applicant who is an 1166  
active or reserve member of the armed forces of the United 1167  
States or has retired from or was honorably discharged from 1168  
military service in the active or reserve armed forces of the 1169  
United States for the remainder of that year. 1170

**Sec. 2923.128.** (A) (1) (a) If a licensee holding a valid 1171  
concealed handgun license is arrested for or otherwise charged 1172  
with an offense described in division (D) (1) (d) of section 1173  
2923.125 of the Revised Code or with a violation of section 1174  
2923.15 of the Revised Code or becomes subject to a temporary 1175  
protection order or to a protection order issued by a court of 1176  
another state that is substantially equivalent to a temporary 1177  
protection order, the sheriff who issued the license shall 1178  
suspend it and shall comply with division (A) (3) of this section 1179  
upon becoming aware of the arrest, charge, or protection order. 1180  
Upon suspending the license, the sheriff also shall comply with 1181  
division (H) of section 2923.125 of the Revised Code. 1182

(b) A suspension under division (A) (1) (a) of this section 1183  
shall be considered as beginning on the date that the licensee 1184  
is arrested for or otherwise charged with an offense described 1185  
in that division or on the date the appropriate court issued the 1186  
protection order described in that division, irrespective of 1187  
when the sheriff notifies the licensee under division (A) (3) of 1188

this section. The suspension shall end on the date on which the  
charges are dismissed or the licensee is found not guilty of the  
offense described in division (A) (1) (a) of this section or,  
subject to division (B) of this section, on the date the  
appropriate court terminates the protection order described in  
that division. If the suspension so ends, the sheriff shall  
return the license or temporary emergency license to the  
licensee.

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

(b) A suspension under division (A) (2) (a) of this section  
shall be considered as beginning on the date that the licensee  
is convicted of or pleads guilty to the offense described in  
that division, irrespective of when the sheriff notifies the  
licensee under division (A) (3) of this section. If the  
suspension is imposed for a misdemeanor violation of division  
(B) (2) of section 2923.12 of the Revised Code or of division (E)  
(3) of section 2923.16 of the Revised Code, it shall end on the  
date that is one year after the date that the licensee is  
convicted of or pleads guilty to that violation. If the  
suspension is imposed for a misdemeanor violation of division  
(B) (4) of section 2923.12 of the Revised Code or of division (E)  
(5) of section 2923.16 of the Revised Code, it shall end on the

date that is two years after the date that the licensee is 1220  
convicted of or pleads guilty to that violation. If the 1221  
licensee's license was issued under section 2923.125 of the 1222  
Revised Code and the license remains valid after the suspension 1223  
ends as described in this division, when the suspension ends, 1224  
the sheriff shall return the license to the licensee. If the 1225  
licensee's license was issued under section 2923.125 of the 1226  
Revised Code and the license expires before the suspension ends 1227  
as described in this division, or if the licensee's license was 1228  
issued under section 2923.1213 of the Revised Code, the licensee 1229  
is not eligible to apply for a new license under section 1230  
2923.125 or 2923.1213 of the Revised Code or to renew the 1231  
license under section 2923.125 of the Revised Code until after 1232  
the suspension ends as described in this division. 1233

(3) Upon becoming aware of an arrest, charge, or 1234  
protection order described in division (A)(1)(a) of this section 1235  
with respect to a licensee who was issued a concealed handgun 1236  
license, or a conviction of or plea of guilty to a misdemeanor 1237  
offense described in division (A)(2)(a) of this section with 1238  
respect to a licensee who was issued a concealed handgun 1239  
license, subject to division (C) of this section, the sheriff 1240  
who issued the licensee's license shall notify the licensee, by 1241  
certified mail, return receipt requested, at the licensee's last 1242  
known residence address that the license has been suspended and 1243  
that the licensee is required to surrender the license at the 1244  
sheriff's office within ten days of the date on which the notice 1245  
was mailed. If the suspension is pursuant to division (A)(2) of 1246  
this section, the notice shall identify the date on which the 1247  
suspension ends. 1248

(B)(1) A sheriff who issues a concealed handgun license to 1249  
a licensee shall revoke the license in accordance with division 1250

(B) (2) of this section upon becoming aware that the licensee 1251  
satisfies any of the following: 1252

(a) The licensee is under twenty-one years of age. 1253

(b) Subject to division (C) of this section, at the time 1254  
of the issuance of the license, the licensee did not satisfy the 1255  
eligibility requirements of division (D) (1) (c), (d), (e), (f), 1256  
(g), or (h) of section 2923.125 of the Revised Code. 1257

(c) Subject to division (C) of this section, on or after 1258  
the date on which the license was issued, the licensee is 1259  
convicted of or pleads guilty to a violation of section 2923.15 1260  
of the Revised Code or an offense described in division (D) (1) 1261  
(e), (f), (g), or (h) of section 2923.125 of the Revised Code. 1262

(d) On or after the date on which the license was issued, 1263  
the licensee becomes subject to an extreme risk protection order 1264  
or ex parte extreme risk protection order issued under sections 1265  
2923.26 to 2923.30 of the Revised Code, a civil protection order 1266  
or to a protection order issued by a court of another state that 1267  
is substantially equivalent to a civil protection order. 1268

(e) The licensee knowingly carries a concealed handgun 1269  
into a place that the licensee knows is an unauthorized place 1270  
specified in division (B) of section 2923.126 of the Revised 1271  
Code. 1272

(f) On or after the date on which the license was issued, 1273  
the licensee is under adjudication of mental incompetence or is 1274  
committed to a mental institution. 1275

(g) At the time of the issuance of the license, the 1276  
licensee did not meet the residency requirements described in 1277  
division (D) (1) of section 2923.125 of the Revised Code and 1278  
currently does not meet the residency requirements described in 1279

that division. 1280

(h) Regarding a license issued under section 2923.125 of 1281  
the Revised Code, the competency certificate the licensee 1282  
submitted was forged or otherwise was fraudulent. 1283

(2) Upon becoming aware of any circumstance listed in 1284  
division (B)(1) of this section that applies to a particular 1285  
licensee who was issued a concealed handgun license, subject to 1286  
division (C) of this section, the sheriff who issued the license 1287  
to the licensee shall notify the licensee, by certified mail, 1288  
return receipt requested, at the licensee's last known residence 1289  
address that the license is subject to revocation and that the 1290  
licensee may come to the sheriff's office and contest the 1291  
sheriff's proposed revocation within fourteen days of the date 1292  
on which the notice was mailed. After the fourteen-day period 1293  
and after consideration of any information that the licensee 1294  
provides during that period, if the sheriff determines on the 1295  
basis of the information of which the sheriff is aware that the 1296  
licensee is described in division (B)(1) of this section and no 1297  
longer satisfies the requirements described in division (D)(1) 1298  
of section 2923.125 of the Revised Code that are applicable to 1299  
the licensee's type of license, the sheriff shall revoke the 1300  
license, notify the licensee of that fact, and require the 1301  
licensee to surrender the license. Upon revoking the license, 1302  
the sheriff also shall comply with division (H) of section 1303  
2923.125 of the Revised Code. 1304

(C) If a sheriff who issues a concealed handgun license to 1305  
a licensee becomes aware that at the time of the issuance of the 1306  
license the licensee had been convicted of or pleaded guilty to 1307  
an offense identified in division (D)(1)(e), (f), or (h) of 1308  
section 2923.125 of the Revised Code or had been adjudicated a 1309

delinquent child for committing an act or violation identified 1310  
in any of those divisions or becomes aware that on or after the 1311  
date on which the license was issued the licensee has been 1312  
convicted of or pleaded guilty to an offense identified in 1313  
division (A) (2) (a) or (B) (1) (c) of this section, the sheriff 1314  
shall not consider that conviction, guilty plea, or adjudication 1315  
as having occurred for purposes of divisions (A) (2), (A) (3), (B) 1316  
(1), and (B) (2) of this section if a court has ordered the 1317  
sealing or expungement of the records of that conviction, guilty 1318  
plea, or adjudication pursuant to sections 2151.355 to 2151.358, 1319  
sections 2953.31 to 2953.35, or section 2953.39 of the Revised 1320  
Code or the licensee has been relieved under operation of law or 1321  
legal process from the disability imposed pursuant to section 1322  
2923.13 of the Revised Code relative to that conviction, guilty 1323  
plea, or adjudication. 1324

(D) As used in this section, "motor carrier enforcement 1325  
unit" has the same meaning as in section 2923.16 of the Revised 1326  
Code. 1327

**Sec. 2923.1213.** (A) As used in this section: 1328

(1) "Evidence of imminent danger" means any of the 1329  
following: 1330

(a) A statement sworn by the person seeking to carry a 1331  
concealed handgun that is made under threat of perjury and that 1332  
states that the person has reasonable cause to fear a criminal 1333  
attack upon the person or a member of the person's family, such 1334  
as would justify a prudent person in going armed; 1335

(b) A written document prepared by a governmental entity 1336  
or public official describing the facts that give the person 1337  
seeking to carry a concealed handgun reasonable cause to fear a 1338

criminal attack upon the person or a member of the person's 1339  
family, such as would justify a prudent person in going armed. 1340  
Written documents of this nature include, but are not limited 1341  
to, any temporary protection order, civil protection order, 1342  
protection order issued by another state, or other court order, 1343  
any court report, and any report filed with or made by a law 1344  
enforcement agency or prosecutor. 1345

(2) "Prosecutor" has the same meaning as in section 1346  
2935.01 of the Revised Code. 1347

(B) (1) A person seeking a concealed handgun license on a 1348  
temporary emergency basis shall submit to the sheriff of the 1349  
county in which the person resides or, if the person usually 1350  
resides in another state, to the sheriff of the county in which 1351  
the person is temporarily staying, all of the following: 1352

(a) Evidence of imminent danger to the person or a member 1353  
of the person's family; 1354

(b) A sworn affidavit that contains all of the information 1355  
required to be on the license and attesting that the person is 1356  
legally living in the United States; is at least twenty-one 1357  
years of age; is not a fugitive from justice; is not under 1358  
indictment for or otherwise charged with an offense identified 1359  
in division (D) (1) (d) of section 2923.125 of the Revised Code; 1360  
has not been convicted of or pleaded guilty to an offense, and 1361  
has not been adjudicated a delinquent child for committing an 1362  
act, identified in division (D) (1) (e) of that section and to 1363  
which division (B) (3) of this section does not apply; within 1364  
three years of the date of the submission, has not been 1365  
convicted of or pleaded guilty to an offense, and has not been 1366  
adjudicated a delinquent child for committing an act, identified 1367  
in division (D) (1) (f) of that section and to which division (B) 1368

(3) of this section does not apply; within five years of the 1369  
date of the submission, has not been convicted of, pleaded 1370  
guilty, or adjudicated a delinquent child for committing two or 1371  
more violations identified in division (D)(1)(g) of that 1372  
section; within ten years of the date of the submission, has not 1373  
been convicted of, pleaded guilty, or adjudicated a delinquent 1374  
child for committing a violation identified in division (D)(1) 1375  
(h) of that section and to which division (B)(3) of this section 1376  
does not apply; has not been committed to any mental 1377  
institution, is not under adjudication of mental incompetence, 1378  
has not been found by a court to be a person with a mental 1379  
illness subject to court order, and is not an involuntary 1380  
patient other than one who is a patient only for purposes of 1381  
observation, as described in division (D)(1)(i) of that section; 1382  
is not currently subject to a civil protection order, a 1383  
temporary protection order, an extreme risk protection order or 1384  
ex parte extreme risk protection order issued under sections 1385  
2923.26 to 2923.30 of the Revised Code, or a protection order 1386  
issued by a court of another state, as described in division (D) 1387  
(1)(j) of that section; is not currently subject to a suspension 1388  
imposed under division (A)(2) of section 2923.128 of the Revised 1389  
Code of a concealed handgun license that previously was issued 1390  
to the person or a similar suspension imposed by another state 1391  
regarding a concealed handgun license issued by that state; is 1392  
not an unlawful user of or addicted to any controlled substance 1393  
as defined in 21 U.S.C. 802; if applicable, is an alien and has 1394  
not been admitted to the United States under a nonimmigrant 1395  
visa, as defined in the "Immigration and Nationality Act," 8 1396  
U.S.C. 1101(a)(26); has not been discharged from the armed 1397  
forces of the United States under dishonorable conditions; if 1398  
applicable, has not renounced the applicant's United States 1399  
citizenship; and has not been convicted of, pleaded guilty to, 1400

or been adjudicated a delinquent child for committing a 1401  
violation identified in division (D)(1)(s) of section 2923.125 1402  
of the Revised Code; 1403

(c) A nonrefundable temporary emergency license fee as 1404  
described in either of the following: 1405

(i) For an applicant who has been a resident of this state 1406  
for five or more years, a fee of fifteen dollars plus the actual 1407  
cost of having a background check performed by the bureau of 1408  
criminal identification and investigation pursuant to section 1409  
311.41 of the Revised Code; 1410

(ii) For an applicant who has been a resident of this 1411  
state for less than five years or who is not a resident of this 1412  
state, but is temporarily staying in this state, a fee of 1413  
fifteen dollars plus the actual cost of having background checks 1414  
performed by the federal bureau of investigation and the bureau 1415  
of criminal identification and investigation pursuant to section 1416  
311.41 of the Revised Code. 1417

(d) A set of fingerprints of the applicant provided as 1418  
described in section 311.41 of the Revised Code through use of 1419  
an electronic fingerprint reading device or, if the sheriff to 1420  
whom the application is submitted does not possess and does not 1421  
have ready access to the use of an electronic fingerprint 1422  
reading device, on a standard impression sheet prescribed 1423  
pursuant to division (C)(2) of section 109.572 of the Revised 1424  
Code. If the fingerprints are provided on a standard impression 1425  
sheet, the person also shall provide the person's social 1426  
security number to the sheriff. 1427

(2) A sheriff shall accept the evidence of imminent 1428  
danger, the sworn affidavit, the fee, and the set of 1429

fingerprints required under division (B)(1) of this section at 1430  
the times and in the manners described in division (I) of this 1431  
section. Upon receipt of the evidence of imminent danger, the 1432  
sworn affidavit, the fee, and the set of fingerprints required 1433  
under division (B)(1) of this section, the sheriff, in the 1434  
manner specified in section 311.41 of the Revised Code, 1435  
immediately shall conduct or cause to be conducted the criminal 1436  
records check and the incompetency records check described in 1437  
section 311.41 of the Revised Code. Immediately upon receipt of 1438  
the results of the records checks, the sheriff shall review the 1439  
information and shall determine whether the criteria set forth 1440  
in divisions (D)(1)(a) to (j) and (m) to (s) of section 2923.125 1441  
of the Revised Code apply regarding the person. If the sheriff 1442  
determines that all of the criteria set forth in divisions (D) 1443  
(1)(a) to (j) and (m) to (s) of section 2923.125 of the Revised 1444  
Code apply regarding the person, the sheriff shall immediately 1445  
make available through the law enforcement automated data system 1446  
all information that will be contained on the temporary 1447  
emergency license for the person if one is issued, and the 1448  
superintendent of the state highway patrol shall ensure that the 1449  
system is so configured as to permit the transmission through 1450  
the system of that information. Upon making that information 1451  
available through the law enforcement automated data system, the 1452  
sheriff shall immediately issue to the person a concealed 1453  
handgun license on a temporary emergency basis. 1454

If the sheriff denies the issuance of a license on a 1455  
temporary emergency basis to the person, the sheriff shall 1456  
specify the grounds for the denial in a written notice to the 1457  
person. The person may appeal the denial, or challenge criminal 1458  
records check results that were the basis of the denial if 1459  
applicable, in the same manners specified in division (D)(2) of 1460

section 2923.125 and in section 2923.127 of the Revised Code, 1461  
regarding the denial of an application for a concealed handgun 1462  
license under that section. 1463

The license on a temporary emergency basis issued under 1464  
this division shall be in the form, and shall include all of the 1465  
information, described in divisions (A)(2)(a) and (d) of section 1466  
109.731 of the Revised Code, and also shall include a unique 1467  
combination of identifying letters and numbers in accordance 1468  
with division (A)(2)(c) of that section. 1469

The license on a temporary emergency basis issued under 1470  
this division is valid for ninety days and may not be renewed. A 1471  
person who has been issued a license on a temporary emergency 1472  
basis under this division shall not be issued another license on 1473  
a temporary emergency basis unless at least four years has 1474  
expired since the issuance of the prior license on a temporary 1475  
emergency basis. 1476

(3) If a person seeking a concealed handgun license on a 1477  
temporary emergency basis has been convicted of or pleaded 1478  
guilty to an offense identified in division (D)(1)(e), (f), or 1479  
(h) of section 2923.125 of the Revised Code or has been 1480  
adjudicated a delinquent child for committing an act or 1481  
violation identified in any of those divisions, and if a court 1482  
has ordered the sealing or expungement of the records of that 1483  
conviction, guilty plea, or adjudication pursuant to sections 1484  
2151.355 to 2151.358, sections 2953.31 to 2953.35, or section 1485  
2953.39 of the Revised Code or the applicant has been relieved 1486  
under operation of law or legal process from the disability 1487  
imposed pursuant to section 2923.13 of the Revised Code relative 1488  
to that conviction, guilty plea, or adjudication, the 1489  
conviction, guilty plea, or adjudication shall not be relevant 1490

for purposes of the sworn affidavit described in division (B) (1) 1491  
(b) of this section, and the person may complete, and swear to 1492  
the truth of, the affidavit as if the conviction, guilty plea, 1493  
or adjudication never had occurred. 1494

(4) The sheriff shall waive the payment pursuant to 1495  
division (B) (1) (c) of this section of the license fee in 1496  
connection with an application that is submitted by an applicant 1497  
who is a retired peace officer, a retired person described in 1498  
division (B) (1) (b) of section 109.77 of the Revised Code, or a 1499  
retired federal law enforcement officer who, prior to 1500  
retirement, was authorized under federal law to carry a firearm 1501  
in the course of duty, unless the retired peace officer, person, 1502  
or federal law enforcement officer retired as the result of a 1503  
mental disability. 1504

The sheriff shall deposit all fees paid by an applicant 1505  
under division (B) (1) (c) of this section into the sheriff's 1506  
concealed handgun license issuance fund established pursuant to 1507  
section 311.42 of the Revised Code. 1508

(C) A person who holds a concealed handgun license on a 1509  
temporary emergency basis has the same right to carry a 1510  
concealed handgun as a person who was issued a concealed handgun 1511  
license under section 2923.125 of the Revised Code, and any 1512  
exceptions to the prohibitions contained in section 1547.69 and 1513  
sections 2923.12 to 2923.16 of the Revised Code for a licensee 1514  
under section 2923.125 of the Revised Code apply to a licensee 1515  
under this section. The person is subject to the same 1516  
restrictions, and to all other procedures, duties, and 1517  
sanctions, that apply to a person who carries a license issued 1518  
under section 2923.125 of the Revised Code, other than the 1519  
license renewal procedures set forth in that section. 1520

(D) A sheriff who issues a concealed handgun license on a temporary emergency basis under this section shall not require a person seeking to carry a concealed handgun in accordance with this section to submit a competency certificate as a prerequisite for issuing the license and shall comply with division (H) of section 2923.125 of the Revised Code in regards to the license. The sheriff shall suspend or revoke the license in accordance with section 2923.128 of the Revised Code. In addition to the suspension or revocation procedures set forth in section 2923.128 of the Revised Code, the sheriff may revoke the license upon receiving information, verifiable by public documents, that the person is not eligible to possess a firearm under either the laws of this state or of the United States or that the person committed perjury in obtaining the license; if the sheriff revokes a license under this additional authority, the sheriff shall notify the person, by certified mail, return receipt requested, at the person's last known residence address that the license has been revoked and that the person is required to surrender the license at the sheriff's office within ten days of the date on which the notice was mailed. Division (H) of section 2923.125 of the Revised Code applies regarding any suspension or revocation of a concealed handgun license on a temporary emergency basis.

(E) A sheriff who issues a concealed handgun license on a temporary emergency basis under this section shall retain, for the entire period during which the license is in effect, the evidence of imminent danger that the person submitted to the sheriff and that was the basis for the license, or a copy of that evidence, as appropriate.

(F) If a concealed handgun license on a temporary emergency basis issued under this section is lost or is

destroyed, the licensee may obtain from the sheriff who issued 1552  
that license a duplicate license upon the payment of a fee of 1553  
fifteen dollars and the submission of an affidavit attesting to 1554  
the loss or destruction of the license. The sheriff, in 1555  
accordance with the procedures prescribed in section 109.731 of 1556  
the Revised Code, shall place on the replacement license a 1557  
combination of identifying numbers different from the 1558  
combination on the license that is being replaced. 1559

(G) The attorney general shall prescribe, and shall make 1560  
available to sheriffs, a standard form to be used under division 1561  
(B) of this section by a person who applies for a concealed 1562  
handgun license on a temporary emergency basis on the basis of 1563  
imminent danger of a type described in division (A)(1)(a) of 1564  
this section. The attorney general shall design the form to 1565  
enable applicants to provide the information that is required by 1566  
law to be collected, and shall update the form as necessary. 1567  
Burdens or restrictions to obtaining a concealed handgun license 1568  
that are not expressly prescribed in law shall not be 1569  
incorporated into the form. The attorney general shall post a 1570  
printable version of the form on the web site of the attorney 1571  
general and shall provide the address of the web site to any 1572  
person who requests the form. 1573

(H) A sheriff who receives any fees paid by a person under 1574  
this section shall deposit all fees so paid into the sheriff's 1575  
concealed handgun license issuance expense fund established 1576  
under section 311.42 of the Revised Code. 1577

(I) A sheriff shall accept evidence of imminent danger, a 1578  
sworn affidavit, the fee, and the set of fingerprints specified 1579  
in division (B)(1) of this section at any time during normal 1580  
business hours. In no case shall a sheriff require an 1581

appointment, or designate a specific period of time, for the 1582  
submission or acceptance of evidence of imminent danger, a sworn 1583  
affidavit, the fee, and the set of fingerprints specified in 1584  
division (B)(1) of this section, or for the provision to any 1585  
person of a standard form to be used for a person to apply for a 1586  
concealed handgun license on a temporary emergency basis. 1587

**Sec. 2923.13.** (A) Unless relieved from disability under 1588  
operation of law or legal process, no person shall knowingly 1589  
acquire, have, carry, or use any firearm or dangerous ordnance, 1590  
if any of the following apply: 1591

(1) The person is a fugitive from justice. 1592

(2) The person is under indictment for or has been 1593  
convicted of any felony offense of violence or has been 1594  
adjudicated a delinquent child for the commission of an offense 1595  
that, if committed by an adult, would have been a felony offense 1596  
of violence. 1597

(3) The person is under indictment for or has been 1598  
convicted of any felony offense involving the illegal 1599  
possession, use, sale, administration, distribution, or 1600  
trafficking in any drug of abuse or has been adjudicated a 1601  
delinquent child for the commission of an offense that, if 1602  
committed by an adult, would have been a felony offense 1603  
involving the illegal possession, use, sale, administration, 1604  
distribution, or trafficking in any drug of abuse. 1605

(4) The person has a drug dependency, is in danger of drug 1606  
dependence, or has chronic alcoholism. 1607

(5) The person is under adjudication of mental 1608  
incompetence, has been committed to a mental institution, has 1609  
been found by a court to be a person with a mental illness 1610

subject to court order, or is an involuntary patient other than 1611  
one who is a patient only for purposes of observation. ~~As used~~ 1612  
~~in this division, "person with a mental illness subject to court~~ 1613  
~~order" and "patient" have the same meanings as in section~~ 1614  
~~5122.01 of the Revised Code.~~ 1615

(6) The person has been found guilty of having a firearm 1616  
while under extreme risk protection order disability, and is 1617  
prohibited from acquiring, having, carrying, or using a firearm 1618  
under section 2923.99 of the Revised Code. 1619

(B) Whoever violates this section is guilty of having 1620  
weapons while under disability, a felony of the third degree. 1621

(C) For the purposes of this section, ~~"under:~~ 1622

(1) "Under operation of law or legal process" shall not 1623  
itself include mere completion, termination, or expiration of a 1624  
sentence imposed as a result of a criminal conviction. 1625

(2) "Mentally ill person subject to court order" and 1626  
"patient" have the same meanings as in section 5122.01 of the 1627  
Revised Code. 1628

**Sec. 2923.26.** (A) As used in this section and sections 1629  
2923.27 to 2923.30 of the Revised Code: 1630

(1) "Extreme risk protection order" means a final order 1631  
granted under section 2923.26 of the Revised Code. 1632

(2) "Ex parte extreme risk protection order" means an ex 1633  
parte order granted under section 2923.27 of the Revised Code. 1634

(3) "Family or household member" means, with respect to a 1635  
respondent, any of the following: 1636

(a) A person related by blood, marriage, or adoption to 1637

the respondent; 1638

(b) A person in a dating relationship with the respondent; 1639

(c) A person who has a child in common with the 1640  
respondent, regardless of whether the person has been married to 1641  
the respondent or has lived together with the respondent at any 1642  
time; 1643

(d) A person who resides with the respondent or who has 1644  
resided with the respondent within the past year; 1645

(e) A person who has a biological or legal parent-child 1646  
relationship with the respondent, including a stepparent, 1647  
stepchild, grandparent, and grandchild of the respondent; 1648

(f) A person who is acting or has acted as the 1649  
respondent's legal guardian. 1650

(4) "Petitioner" means the person who petitions for an 1651  
extreme risk protection order under this section. 1652

(5) "Respondent" means the person who is identified as the 1653  
subject of a petition for an extreme risk protection order under 1654  
this section. 1655

(6) "Law enforcement officer" means a sheriff, deputy 1656  
sheriff, constable, police officer of a township or joint police 1657  
district, municipal police officer, or state highway patrol 1658  
trooper. 1659

(7) "Law enforcement agency" means a municipal or township 1660  
police department, a county sheriff's office, or the state 1661  
highway patrol. 1662

(B) (1) Any of the following persons may seek relief under 1663  
sections 2923.26 to 2923.30 of the Revised Code by filing a 1664

petition for an extreme risk protection order in the court of 1665  
common pleas in the county where the petitioner resides or in 1666  
the county where the respondent resides: 1667

(a) A family or household member of the respondent; 1668

(b) A law enforcement officer or law enforcement agency. 1669

(2) If a petitioner files a petition for an extreme risk 1670  
protection order, in addition to the petition, the petitioner 1671  
may file an application for an ex parte extreme risk protection 1672  
order under section 2923.27 of the Revised Code. An application 1673  
for an ex parte extreme risk protection order may be filed as 1674  
specified in that section in the court of common pleas in which 1675  
the petition is filed or in a county court or municipal court. 1676  
If a petitioner who files a petition for an extreme risk 1677  
protection order also files an application for an ex parte 1678  
extreme risk protection order, except as expressly specified to 1679  
the contrary, the provisions of this section apply with respect 1680  
to the petition that is related to the application. 1681

(C) A petition for an extreme risk protection order shall 1682  
include all of the following: 1683

(1) An allegation that the respondent poses a significant 1684  
danger of causing personal injury to self or others by having in 1685  
the respondent's custody or control, purchasing, possessing, or 1686  
receiving a firearm, accompanied by an affidavit made under oath 1687  
stating the specific statements, actions, or facts that give 1688  
rise to a reasonable fear of future dangerous acts by the 1689  
respondent; 1690

(2) An inventory list including the number, types, and 1691  
locations of every firearm the petitioner believes to be in the 1692  
respondent's ownership, possession, custody, or control; 1693

(3) A list of any protection order issued under section 1694  
2151.34, 2903.213, 2903.214, 2919.26, or 3113.31 of the Revised 1695  
Code to which the respondent is subject and of which the 1696  
petitioner is aware; 1697

(4) A list of any pending lawsuit, complaint, petition, or 1698  
other legal action between the parties. 1699

(D) The court shall verify the terms of any existing order 1700  
governing the parties but shall not delay granting relief under 1701  
this section or section 2923.27 of the Revised Code because an 1702  
action is pending between the parties. A petition for an extreme 1703  
risk protection order may be granted whether or not an action 1704  
between the parties is pending. 1705

(E) If the petitioner for an extreme risk protection order 1706  
is a law enforcement officer or agency, the petitioner shall 1707  
make a good faith effort to provide notice to a family or 1708  
household member or third party who may be at risk of violence. 1709  
The notice shall state that the petitioner intends to petition 1710  
the court for an extreme risk protection order or that the 1711  
petitioner has already done so, and include referrals to 1712  
appropriate resources, including mental health, domestic 1713  
violence, and counseling resources. The petitioner shall attest 1714  
in the petition to having provided this notice, or attest to the 1715  
steps that will be taken to provide the notice. 1716

(F) If the petition for an extreme risk protection order 1717  
states that disclosure of the petitioner's address would risk 1718  
harm to the petitioner or any member of the petitioner's family 1719  
or household, the petitioner's address may be omitted from all 1720  
documents filed with the court. If the petitioner has not 1721  
disclosed an address under this division, the petitioner shall 1722  
designate an alternate address at which the respondent may serve 1723

notice of any motions. If the petitioner is a law enforcement 1724  
officer or agency, the address of record shall be the address of 1725  
the law enforcement agency. 1726

(G) The court shall not charge a fee to a petitioner for 1727  
filing a petition under this section or for filing an 1728  
application for an ex parte extreme risk protection order under 1729  
section 2923.27 of the Revised Code, and shall not charge the 1730  
petitioner for service of process of the petition. The court 1731  
shall provide the necessary certified copies and forms and shall 1732  
provide materials explaining the process of filing a petition 1733  
for an extreme risk protection order to persons free of charge. 1734

(H) No petitioner for an extreme risk protection order 1735  
shall be required to post a bond to obtain relief under this 1736  
section or sections 2923.27 to 2923.30 of the Revised Code. 1737

(I) (1) Upon receiving a petition for an extreme risk 1738  
protection order, the court shall do all of the following, 1739  
subject to division (I) (2) of this section: 1740

(a) Order a hearing to be held not later than fourteen 1741  
days after the date the petition is filed; 1742

(b) Issue a notice of the date, time, and location of the 1743  
hearing to the respondent named in the petition; 1744

(c) Cause a copy of the notice of hearing and petition to 1745  
be forwarded on or before the next judicial day to a local law 1746  
enforcement agency for service on the respondent. 1747

(2) If a petitioner who files a petition for an extreme 1748  
risk protection order also files an application for an ex parte 1749  
extreme risk protection order under section 2923.27 of the 1750  
Revised Code with respect to the same respondent, the court 1751  
shall order the hearing specified in division (I) (1) (a) of this 1752

section, but except as provided in division (E) (4) of section 1753  
2923.27 of the Revised Code, the court shall not issue the 1754  
notice under division (I) (1) (b) of this section, cause the copy 1755  
of the notice and petition to be served under division (I) (1) (c) 1756  
of this section, or conduct the hearing. 1757

(J) The court may do either of the following with respect 1758  
to a petition for an extreme risk protection order: 1759

(1) Subject to division (K) of this section, schedule a 1760  
hearing by telephone pursuant to local court rule, to reasonably 1761  
accommodate a disability, or, in exceptional circumstances, to 1762  
protect a petitioner from potential harm; 1763

(2) Issue an ex parte extreme risk protection order under 1764  
section 2923.27 of the Revised Code, if an application for such 1765  
an order is made under that section. 1766

(K) The court shall require assurances of the petitioner's 1767  
identity before conducting a telephonic hearing under division 1768  
(J) (1) of this section. 1769

(L) Except as otherwise provided in this division, the 1770  
local law enforcement agency shall personally serve the petition 1771  
and notice of the hearing on the respondent not less than five 1772  
judicial days prior to the hearing. If the petitioner who filed 1773  
the petition for an extreme risk protection order also filed an 1774  
application for an ex parte extreme risk protection order under 1775  
section 2923.27 of the Revised Code with respect to the same 1776  
respondent, the agency shall serve the notice and petition as 1777  
specified in division (E) (3) or (4) of section 2923.27 of the 1778  
Revised Code. Service issued under this section shall take 1779  
precedence over other service of other documents, unless those 1780  
documents are also of an emergency nature. If the local law 1781

enforcement agency cannot serve process under this section 1782  
within the time period specified, the court shall set a new 1783  
hearing date and either require the local law enforcement agency 1784  
to attempt personal service again or shall permit service by 1785  
publication or mail as provided in division (H) of section 1786  
2923.28 of the Revised Code. The court shall not require more 1787  
than two attempts at obtaining personal service and shall permit 1788  
service by publication or mail after two attempts unless the 1789  
petitioner requests additional time to attempt personal service. 1790  
If the court issues an order that permits service by publication 1791  
or mail, the court shall set the hearing date not later than 1792  
twenty-four days after the date the order is issued. 1793

(M) (1) Upon hearing a petition for an extreme risk 1794  
protection order, subject to division (M) (2) of this section, if 1795  
the court finds by a preponderance of the evidence that the 1796  
respondent poses a significant danger of causing personal injury 1797  
to self or others by having custody or control of a firearm or 1798  
the ability to purchase, possess, or receive a firearm, the 1799  
court shall issue an extreme risk protection order for a period 1800  
of one hundred eighty days. 1801

(2) Division (M) (1) of this section does not apply to a 1802  
determination of whether an ex parte extreme risk protection 1803  
order should be issued under section 2923.27 of the Revised 1804  
Code. Divisions (B) and (C) of that section govern the 1805  
determination of whether such an order should be issued. If a 1806  
court issues an ex parte extreme risk protection order under 1807  
that section, division (M) (1) of this section applies in 1808  
determining whether to issue a final extreme risk protection 1809  
order after a hearing held on the related petition for an order. 1810  
If a court denies an application for an ex parte extreme risk 1811  
protection order under that section, division (M) (1) of this 1812

section applies in determining whether to issue an extreme risk 1813  
protection order after a hearing held on the related petition 1814  
for an order. 1815

(N) In determining whether grounds for an extreme risk 1816  
protection order exist under division (M)(1) of this section or 1817  
whether grounds for an ex parte extreme risk protection order 1818  
exist under divisions (B) and (C) of section 2923.27 of the 1819  
Revised Code, the court may do any of the following: 1820

(1) Consider any relevant evidence including any of the 1821  
following: 1822

(a) A recent act or threat of violence by the respondent 1823  
against the respondent or against another, whether or not the 1824  
violence or threat involves a firearm; 1825

(b) A pattern of acts or threats of violence by the 1826  
respondent within the past twelve months, including acts or 1827  
threats of violence by the respondent against the respondent or 1828  
against others; 1829

(c) Any dangerous mental health issues of the respondent; 1830

(d) A violation by the respondent of any of the following: 1831

(i) A protection order issued or consent agreement 1832  
approved pursuant to section 2919.26 or 3113.31 of the Revised 1833  
Code; 1834

(ii) A protection order issued pursuant to section 1835  
2151.34, 2903.213, or 2903.214 of the Revised Code; 1836

(iii) A protection order issued by a court of another 1837  
state. 1838

(e) A previous or existing extreme risk protection order 1839

issued against the respondent; 1840

(f) A violation of a previous or existing extreme risk 1841  
protection order issued against the respondent; 1842

(g) A conviction of the respondent for a violation of 1843  
section 2919.25 of the Revised Code; 1844

(h) The respondent's ownership, access to, or intent to 1845  
possess firearms; 1846

(i) The unlawful or reckless use, display, or brandishing 1847  
of a firearm by the respondent; 1848

(j) The history of use, attempted use, or threatened use 1849  
of physical force by the respondent against another person, or 1850  
the respondent's history of stalking another person; 1851

(k) Any prior arrest of the respondent for a felony 1852  
offense or violent crime; 1853

(l) Corroborated evidence of the abuse of controlled 1854  
substances or alcohol by the respondent; 1855

(m) Evidence of recent acquisition of firearms by the 1856  
respondent. 1857

(2) Examine under oath the petitioner, the respondent, and 1858  
any witness called by the petitioner or respondent; 1859

(3) Ensure that a reasonable search has been conducted for 1860  
criminal history records related to the respondent. 1861

(O) During a hearing for an extreme risk protection order, 1862  
the court shall consider whether a mental health evaluation or 1863  
chemical dependency evaluation is appropriate and may order such 1864  
an evaluation if appropriate. 1865

(P) An extreme risk protection order issued under this 1866

section shall include all of the following: 1867

(1) A statement of the grounds supporting the order; 1868

(2) The date and time that the order was issued; 1869

(3) The date and time the order expires; 1870

(4) Whether a mental health evaluation or chemical 1871  
dependency evaluation of the respondent is required; 1872

(5) The address of the court in which any responsive 1873  
pleading should be filed; 1874

(6) A description of the requirements for relinquishment 1875  
of firearms under section 2923.30 of the Revised Code; 1876

(7) The following statement: 1877

"To the subject of the protection order: 1878

This order will last until the date and time noted above. 1879  
If you have not done so already, you must surrender to the 1880  
(insert name of local law enforcement agency) all firearms in 1881  
your custody, control, or possession and any license to carry a 1882  
concealed handgun issued to you under section 2923.125 or 1883  
2923.1213 of the Revised Code. You may not have in your custody 1884  
or control, purchase, possess, receive, or attempt to purchase 1885  
or receive, a firearm while this order is in effect. You have 1886  
the right to request one hearing to terminate this order every 1887  
one-hundred-eighty-day period that this order is in effect, 1888  
starting from the date of this order and continuing through any 1889  
renewals. You may seek the advice of an attorney as to any 1890  
matter connected with this order." 1891

(Q) When the court issues an extreme risk protection order 1892  
under this section, the court shall inform the respondent that 1893

the respondent is entitled to request termination of the order 1894  
in the manner prescribed in section 2923.29 of the Revised Code. 1895

(R) If the court declines to issue an extreme risk 1896  
protection order under this section, the court shall state the 1897  
particular reasons for denial in the court's order. 1898

(S) Sections 2923.26 to 2923.30 of the Revised Code do not 1899  
affect the ability of a law enforcement officer to remove a 1900  
firearm or concealed handgun license from any person or conduct 1901  
any search and seizure for firearms pursuant to any other lawful 1902  
authority. 1903

**Sec. 2923.27.** (A) A petitioner who files a petition for an 1904  
extreme risk protection order under section 2923.26 of the 1905  
Revised Code may request that an ex parte extreme risk 1906  
protection order be issued before a hearing for an extreme risk 1907  
protection order under that section, without notice to the 1908  
respondent, by filing an application for an ex parte extreme 1909  
risk protection order in a court of common pleas, county court, 1910  
or municipal court. An application for an ex parte order shall 1911  
include detailed allegations based on personal knowledge that 1912  
the respondent poses a significant danger of causing personal 1913  
injury to self or others in the near future by having custody or 1914  
control of a firearm or the ability to purchase, possess, or 1915  
receive a firearm. The application shall be filed in addition to 1916  
the petition for the extreme risk protection order. 1917

(B) In considering whether to issue an ex parte extreme 1918  
risk protection order under this section, the court that 1919  
receives the application shall consider all relevant evidence, 1920  
including the evidence described in division (N) (1) of section 1921  
2923.26 of the Revised Code. 1922

(C) If a court finds there is reasonable cause to believe 1923  
that the respondent poses a significant danger of causing 1924  
personal injury to self or others in the near future by having 1925  
custody or control of a firearm or the ability to purchase, 1926  
possess, or receive a firearm, the court shall issue an ex parte 1927  
extreme risk protection order. 1928

(D) The court shall hold an ex parte extreme risk 1929  
protection order hearing in person or by telephone on the day 1930  
the petition is filed or on the judicial day immediately 1931  
following the day the petition is filed. 1932

(E) (1) If a court of common pleas issues an ex parte 1933  
extreme risk protection order, the court shall schedule a 1934  
hearing to be held within three days of the issuance of the 1935  
order to determine if an extreme risk protection order should be 1936  
issued and shall hold the hearing on the date, and at the time 1937  
and place, scheduled. 1938

(2) If a county court or municipal court issues an ex 1939  
parte extreme risk protection order, the court shall transfer 1940  
the case to the court of common pleas and that court shall 1941  
schedule a hearing to be held within three days of the issuance 1942  
of the order to determine if an extreme risk protection order 1943  
should be issued, and shall hold the hearing on the date, and at 1944  
the time and place, scheduled. 1945

(3) If a court of common pleas, county court, or municipal 1946  
court issues an ex parte extreme risk protection order, the 1947  
hearing scheduled under division (I) (1) (a) of section 2923.26 of 1948  
the Revised Code shall not be conducted. Instead, the 1949  
appropriate court shall conduct the hearing scheduled under 1950  
division (E) (1) or (2) of this section to determine if an 1951  
extreme risk protection order should be issued. The court shall 1952

issue a notice of the date, time, and location of the hearing to 1953  
the respondent and shall cause a copy of the notice of the 1954  
hearing and petition to be forwarded on or before the next 1955  
judicial day to a local law enforcement agency for service on 1956  
the respondent. The local law enforcement agency shall 1957  
personally serve the notice of the hearing and petition on the 1958  
day that it is received and shall serve the ex parte order 1959  
concurrently with the notice. 1960

(4) If a petitioner files an application requesting that 1961  
an ex parte extreme risk protection order be issued and the 1962  
court denies the application, the court in which the petition 1963  
was filed under section 2923.26 of the Revised Code shall 1964  
conduct the hearing scheduled under division (I) (1) (a) of that 1965  
section to determine if an extreme risk protection order should 1966  
be issued. The court shall issue the notice under division (I) 1967  
(1) (b) of that section and cause the copy of the notice and 1968  
petition to be served under division (I) (1) (c) of that section. 1969  
The local law enforcement agency that is served with the copy of 1970  
the notice and petition shall personally serve the petition and 1971  
notice of the hearing on the respondent not less than five 1972  
judicial days prior to the hearing. 1973

(F) An ex parte extreme risk protection order issued under 1974  
this section shall include all of the following: 1975

- (1) A statement of the grounds asserted for the order; 1976
- (2) The date and time the order was issued; 1977
- (3) The date and time the order expires; 1978
- (4) The address of the court in which any responsive 1979  
pleading should be filed; 1980
- (5) The date, time, and location of the hearing scheduled 1981

under division (E) (1) or (2) of this section; 1982

(6) A description of the requirements for surrender of 1983  
firearms under section 2923.30 of the Revised Code; 1984

(7) The following statement: 1985

"To the subject of this protection order: 1986

This order is valid until the date and time noted above. 1987

You are required to surrender all firearms in your custody, 1988  
control, or possession. You may not have in your custody or 1989  
control, purchase, possess, receive, or attempt to purchase or 1990  
receive, a firearm while this order is in effect. You must 1991  
immediately surrender to the (insert name of local law 1992  
enforcement agency) all firearms in your custody, control, or 1993  
possession and any license to carry a concealed handgun issued 1994  
to you under section 2923.125 or 2923.1213 of the Revised Code 1995  
immediately. A hearing will be held on the date and at the time 1996  
and location noted above to determine if an extreme risk 1997  
protection order should be issued. Failure to appear at that 1998  
hearing may result in a court making an order against you that 1999  
is valid for one hundred eighty days. You may seek the advice of 2000  
an attorney as to any matter connected with this order." 2001

(G) Any ex parte extreme risk protection order issued 2002  
under this section expires upon the hearing on the petition for 2003  
the extreme risk protection order. 2004

(H) If the court of common pleas, county court, or 2005  
municipal court declines to issue an ex parte extreme risk 2006  
protection order, the court shall state the particular reasons 2007  
for the denial. 2008

**Sec. 2923.28.** (A) An extreme risk protection order issued 2009  
under section 2923.26 of the Revised Code shall be personally 2010

served upon the respondent, except as otherwise provided in 2011  
sections 2923.26 to 2923.30 of the Revised Code. 2012

(B) The law enforcement agency with jurisdiction over the 2013  
area in which the respondent resides shall serve the respondent 2014  
personally unless the petitioner elects to have the respondent 2015  
served by a private party. 2016

(C) If service by the local law enforcement agency is to 2017  
be used, the clerk of court shall cause a copy of the order 2018  
issued under section 2923.26 of the Revised Code to be forwarded 2019  
on or before the next judicial day to the local law enforcement 2020  
agency specified in the order for service upon the respondent. 2021

(D) If the law enforcement agency is unable to complete 2022  
service on the respondent within ten days, the law enforcement 2023  
agency shall notify the petitioner. The petitioner shall provide 2024  
any information necessary to allow the law enforcement agency to 2025  
complete service on the respondent. 2026

(E) If an order entered by the court specifies that the 2027  
respondent appeared in person before the court, further service 2028  
is waived and proof of service is not necessary. 2029

(F) If the court previously entered an order allowing 2030  
service of the notice and petition or an ex parte extreme risk 2031  
protection order by publication or mail under division (H) of 2032  
this section, or if the court finds there are now grounds to 2033  
allow for that method of service, the court may permit service 2034  
by publication or mail of the extreme risk protection order as 2035  
provided in that division. 2036

(G) Return of service under sections 2923.26 to 2923.30 of 2037  
the Revised Code shall be made in accordance with applicable 2038  
rules of court. 2039

(H) The court may order service by publication or service 2040  
by mail as provided by the Rules of Civil Procedure except that 2041  
any summons shall contain the name of the respondent and 2042  
petitioner, the date and time of the hearing, and any ex parte 2043  
extreme risk protection order that has been issued against the 2044  
respondent, and the following notice: 2045

"If you fail to respond, an extreme risk protection order 2046  
may be issued against you pursuant to sections 2923.26 to 2047  
2923.30 of the Revised Code for one hundred eighty days from the 2048  
date you are required to appear." 2049

(I) If the court orders service by publication or mail for 2050  
notice of an extreme risk protection order hearing, it shall 2051  
also reissue the ex parte extreme risk protection order, if 2052  
issued, to expire on the date of the extreme risk protection 2053  
order hearing. 2054

(J) Following completion of service by publication or by 2055  
mail for notice of an extreme risk protection order hearing, if 2056  
the respondent fails to appear at the hearing, the court may 2057  
issue an extreme risk protection order as provided in section 2058  
2923.26 of the Revised Code. 2059

(K) The clerk of the court shall enter any extreme risk 2060  
protection order or ex parte extreme risk protection order 2061  
issued under sections 2923.26 to 2923.30 of the Revised Code 2062  
into a statewide judicial information system on the same day 2063  
such order is issued. 2064

(L) The clerk of the court shall forward a copy of an 2065  
order issued under sections 2923.26 to 2923.30 of the Revised 2066  
Code the same day the order is issued to the appropriate law 2067  
enforcement agency specified in the order. Upon receipt of the 2068

copy of the order, the law enforcement agency shall enter the 2069  
order into the national instant criminal background check 2070  
system, any other federal or state computer-based systems used 2071  
by law enforcement or others to identify prohibited purchasers 2072  
of firearms, and any computer-based criminal intelligence 2073  
information system available in this state used by law 2074  
enforcement agencies to list outstanding warrants. The order 2075  
shall remain in each system for the period stated in the order, 2076  
and the law enforcement agency shall only remove orders from the 2077  
systems that have expired or terminated. Entry into the 2078  
computer-based criminal intelligence information system 2079  
constitutes notice to all law enforcement agencies of the 2080  
existence of the order. The order is fully enforceable in any 2081  
county in the state. 2082

(M) (1) The issuing court shall, within three judicial days 2083  
after issuance of an extreme risk protection order or ex parte 2084  
extreme risk protection order, forward a copy of the 2085  
respondent's driver's license or state identification card, or 2086  
comparable information, along with the date of the order's 2087  
issuance, to the sheriff that has issued a concealed handgun 2088  
license to the respondent. Upon receipt of the information, the 2089  
sheriff shall immediately revoke the respondent's license in 2090  
accordance with division (B) of section 2923.128 of the Revised 2091  
Code. 2092

(2) The court, if necessary, may apply for access to the 2093  
law enforcement automated data system to identify a sheriff that 2094  
has issued a concealed handgun license to a respondent. For 2095  
purposes of this inquiry, the court is a criminal justice 2096  
agency. 2097

(N) If an extreme risk protection order is terminated 2098

before its expiration date, the clerk of the court shall forward 2099  
the same day a copy of the termination order to the appropriate 2100  
law enforcement agency specified in the termination order. Upon 2101  
receipt of the order, the law enforcement agency shall promptly 2102  
remove the order from any computer-based system in which it was 2103  
entered pursuant to division (L) of this section. 2104

Sec. 2923.29. (A) The respondent may submit one written 2105  
request for a hearing to terminate an extreme risk protection 2106  
order issued under sections 2923.26 to 2923.30 of the Revised 2107  
Code every one-hundred-eighty-day period that the order is in 2108  
effect, starting from the date of the order and continuing 2109  
through any renewals. 2110

(1) Upon receipt of the request for a hearing to terminate 2111  
an extreme risk protection order, the court shall set a date for 2112  
a hearing. Notice of the request shall be served on the 2113  
petitioner in accordance with the Rules of Civil Procedure. The 2114  
hearing shall occur not sooner than fourteen days and not later 2115  
than thirty days after the date the petitioner is served with 2116  
the request. 2117

(2) The respondent shall have the burden of proving by a 2118  
preponderance of the evidence that the respondent does not pose 2119  
a significant danger of causing personal injury to self or 2120  
others by having custody or control of a firearm or the ability 2121  
to purchase, possess, or receive a firearm. The court may 2122  
consider any relevant evidence, including evidence of the 2123  
considerations listed in division (N)(1) of section 2923.26 of 2124  
the Revised Code. 2125

(3) If the court finds after the hearing that the 2126  
respondent has met the respondent's burden, the court shall 2127  
terminate the order. 2128

(B) The court shall notify the petitioner of the impending 2129  
expiration of an extreme risk protection order. Notice shall be 2130  
received by the petitioner sixty calendar days before the date 2131  
the order expires. 2132

(C) A family or household member of a respondent or a law 2133  
enforcement officer or agency may by motion request a renewal of 2134  
an extreme risk protection not sooner than sixty calendar days 2135  
before the expiration of the order. 2136

(D) Upon receipt of a motion to renew, the court shall 2137  
order that a hearing be held not later than fourteen days from 2138  
the date of the request for renewal. The court may schedule a 2139  
hearing by telephone in the manner prescribed by division (J) (1) 2140  
of section 2923.26 of the Revised Code. The respondent shall be 2141  
personally served in the same manner prescribed by divisions (I) 2142  
(3) and (L) of section 2923.26 of the Revised Code. 2143

(E) In determining whether to renew an extreme risk 2144  
protection order under this section, the court shall consider 2145  
all relevant evidence presented by the petitioner and follow the 2146  
same procedure as provided in section 2923.26 of the Revised 2147  
Code. 2148

If the court finds by a preponderance of the evidence that 2149  
the requirements for issuance of an extreme risk protection 2150  
order as provided in section 2923.26 of the Revised Code 2151  
continue to be met, the court shall renew the order. However, 2152  
if, after notice, the motion for renewal is uncontested and the 2153  
petitioner seeks no modification of the order, the order may be 2154  
renewed on the basis of the petitioner's motion or affidavit 2155  
stating that there has been no material change in relevant 2156  
circumstances since entry of the order and stating the reason 2157  
for the requested renewal. 2158

(F) The renewal of an extreme risk protection order has a 2159  
duration of one hundred eighty days, subject to termination as 2160  
provided in division (A) of this section or further renewal by 2161  
order of the court. 2162

**Sec. 2923.30.** (A) Upon issuance of any extreme risk 2163  
protection order or ex parte extreme risk protection order under 2164  
sections 2923.26 to 2923.30 of the Revised Code, the court shall 2165  
order the respondent to surrender to the local law enforcement 2166  
agency all firearms in the respondent's custody, control, or 2167  
possession and any license to carry a concealed handgun issued 2168  
to the respondent under section 2923.125 or 2923.1213 of the 2169  
Revised Code. 2170

(B) The law enforcement officer serving any extreme risk 2171  
protection order or ex parte extreme risk protection order 2172  
issued under sections 2923.26 to 2923.30 of the Revised Code 2173  
shall request that the respondent immediately surrender all 2174  
firearms in the respondent's custody, control, or possession and 2175  
any license to carry a concealed handgun issued to the 2176  
respondent under section 2923.125 or 2923.1213 of the Revised 2177  
Code, and conduct any search permitted by law for such firearms. 2178

(C) The law enforcement officer shall take possession of 2179  
all firearms belonging to the respondent that are surrendered, 2180  
in plain sight, or discovered pursuant to a lawful search. 2181  
Alternatively, if personal service by a law enforcement officer 2182  
is not possible, or not required because the respondent was 2183  
present at the extreme risk protection order hearing, the 2184  
respondent shall surrender the firearms in a safe manner to the 2185  
control of the local law enforcement agency within forty-eight 2186  
hours of being served with the order by alternate service or 2187  
within forty-eight hours of the hearing at which the respondent 2188

was present.

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(D) At the time of surrender, a law enforcement officer  
taking possession of a firearm or concealed handgun license  
shall issue a receipt identifying all firearms that have been  
surrendered and provide a copy of the receipt to the respondent.  
Within seventy-two hours after service of the order, the officer  
serving the order shall file the original receipt with the court  
and shall ensure that the officer's law enforcement agency  
retains a copy of the receipt.

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(E) Upon the sworn statement or testimony of the  
petitioner or of any law enforcement officer alleging that the  
respondent has failed to comply with the surrender of firearms  
as required by an order issued under sections 2923.26 to 2923.30  
of the Revised Code, the court shall determine whether probable  
cause exists to believe that the respondent has failed to  
surrender all firearms in the respondent's possession, custody,  
or control. If probable cause exists, the court shall issue a  
warrant describing the firearms and authorizing a search of the  
locations where the firearms are reasonably believed to be and  
the seizure of any firearms discovered pursuant to such search.

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(F) If a person other than the respondent claims title to  
any firearm surrendered pursuant to this section, and the other  
person is determined by the law enforcement agency to be the  
lawful owner of the firearm, the firearm shall be returned to  
the other person, provided that both of the following apply:

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(1) The firearm is removed from the respondent's custody,  
control, or possession and the lawful owner agrees to store the  
firearm in a manner such that the respondent does not have  
access to or control of the firearm.

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(2) The lawful owner is not prohibited from possessing the 2218  
firearm under state or federal law. 2219

(G) Upon the issuance of an extreme risk protection order, 2220  
the court shall order a new hearing date and require the 2221  
respondent to appear not later than three judicial days from the 2222  
issuance of the order. The court shall require a showing that 2223  
the respondent has surrendered any firearms in the respondent's 2224  
custody, control, or possession. The court may dismiss the 2225  
hearing upon a satisfactory showing that the respondent is in 2226  
compliance with the order. 2227

(H) All law enforcement agencies shall develop policies 2228  
and procedures not later than six months after the effective 2229  
date of this section regarding the acceptance, storage, and 2230  
return of firearms required to be surrendered under sections 2231  
2923.26 to 2923.30 of the Revised Code. 2232

(I) If an extreme risk protection order is terminated or 2233  
expires without renewal or an ex parte extreme risk protection 2234  
order expires and an extreme risk protection order is not issued 2235  
regarding the respondent, a law enforcement agency holding any 2236  
firearm that has been surrendered pursuant to sections 2923.26 2237  
to 2923.30 of the Revised Code shall return any surrendered 2238  
firearm requested by a respondent only after confirming, through 2239  
a background check, that the respondent is currently eligible to 2240  
own or possess firearms under federal and state law and after 2241  
confirming with the court that the extreme risk protection order 2242  
has terminated or has expired without renewal. 2243

(J) A law enforcement agency shall, if requested by a 2244  
family or household member of a respondent, provide prior notice 2245  
of the return of a firearm to a respondent to that family or 2246  
household member. 2247

(K) Any firearm surrendered by a respondent pursuant to 2248  
this section that remains unclaimed by the lawful owner shall be 2249  
disposed of in accordance with the law enforcement agency's 2250  
policies and procedures for the disposal of firearms in police 2251  
custody. 2252

**Sec. 2923.99.** (A) Except as provided in this section, 2253  
sections 2923.26 to 2923.30 of the Revised Code do not impose 2254  
criminal or civil liability on any person or entity for acts or 2255  
omissions related to obtaining an extreme risk protection order 2256  
or ex parte extreme risk protection order including for 2257  
reporting, declining to report, investigating, declining to 2258  
investigate, filing, or declining to file a petition under those 2259  
sections. 2260

(B) (1) No person shall do either of the following: 2261

(a) File a petition for an extreme risk protection order 2262  
under section 2923.26 of the Revised Code alleging that the 2263  
respondent poses a significant danger of causing personal injury 2264  
to self or others by having in the respondent's custody or 2265  
control, purchasing, possessing, or receiving a firearm if the 2266  
person knows the allegation is false; 2267

(b) File an application for an ex parte extreme risk 2268  
protection order under section 2923.27 of the Revised Code 2269  
alleging that the respondent poses a significant danger of 2270  
causing personal injury to self or others in the near future by 2271  
having custody or control of a firearm or the ability to 2272  
purchase, possess, or receive a firearm if the person knows the 2273  
allegation is false. 2274

(2) An individual injured in person or property by a 2275  
violation of division (B) (1) (a) or (b) of this section has, and 2276

may recover full damages in, a civil action under section 2277  
2307.60 of the Revised Code. A civil action described in this 2278  
division is in addition to, and does not preclude, any possible 2279  
criminal prosecution of the person who violates division (B) (1) 2280  
(a) or (b) of this section. 2281

(3) Whoever violates division (B) (1) (a) or (b) of this 2282  
section is guilty of a felony of the fifth degree. 2283

(C) (1) No person shall acquire, have, carry, or use any 2284  
firearm with knowledge that the person is prohibited from doing 2285  
so by an order issued under this section or sections 2923.26 to 2286  
2923.30 of the Revised Code. 2287

(2) A person who violates division (C) (1) of this section 2288  
is guilty of having a firearm while under extreme risk 2289  
protection order disability. Except as provided in division (C) 2290  
(3) of this section, having a firearm while under extreme risk 2291  
protection order disability is a misdemeanor of the third 2292  
degree. 2293

(3) If a person found guilty of having a firearm while 2294  
under extreme risk protection order disability has two or more 2295  
previous convictions for such an offense, having a firearm while 2296  
under extreme risk protection order disability is a felony of 2297  
the fifth degree. 2298

(D) In addition to the penalties prescribed in division 2299  
(C) of this section, no person found guilty of having a firearm 2300  
while under extreme risk protection order disability shall 2301  
knowingly acquire, have, carry, or use any firearm or dangerous 2302  
ordnance for a period of five years after the date the 2303  
underlying extreme risk protection order expires. 2304

**Section 2.** That existing sections 109.57, 2923.125, 2305

2923.128, 2923.1213, and 2923.13 of the Revised Code are hereby 2306  
repealed. 2307

**Section 3.** Sections 2923.26 to 2923.30 and 2923.99 of the 2308  
Revised Code, as enacted by this act, shall be known as the 2309  
"Extreme Risk Protection Order Act." 2310

**Section 4.** The General Assembly, applying the principle 2311  
stated in division (B) of section 1.52 of the Revised Code that 2312  
amendments are to be harmonized if reasonably capable of 2313  
simultaneous operation, finds that the following sections, 2314  
presented in this act as composites of the sections as amended 2315  
by the acts indicated, are the resulting versions of the 2316  
sections in effect prior to the effective date of the sections 2317  
as presented in this act: 2318

Section 2923.125 of the Revised Code as amended by both 2319  
H.B. 281 and S.B. 288 of the 134th General Assembly. 2320

Section 2923.128 of the Revised Code as amended by H.B. 2321  
281, S.B. 215, and S.B. 288, all of the 134th General Assembly. 2322

Section 2923.1213 of the Revised Code as amended by both 2323  
H.B. 281 and S.B. 288 of the 134th General Assembly. 2324