



Ohio Legislative Service Commission

Bill Analysis

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H.B. 158

128th General Assembly
(As Introduced)

Reps. Domenick, J. Adams, Dodd, Fende, Letson, Murray, Okey

BILL SUMMARY

- Requires a sheriff to whom an application is made for initial issuance or renewal of a license to carry a concealed handgun to waive the application fee if the applicant is an instructor of a firearms course, class, or program that meets the statutory requirements for firearms competency training.

CONTENT AND OPERATION

Waiver of concealed-carry license application fee for firearms instructors

Current law requires that an applicant for either the initial issuance or renewal of a license to carry a concealed handgun pay a nonrefundable license fee. For initial issuance, the fee is \$67 if the applicant has been a resident of Ohio for five or more years or \$67 plus the actual cost of a background check by the FBI if the applicant has been a resident of Ohio for less than five years. For renewal, the fee is \$50 if the applicant has been a resident of Ohio for five or more years or \$50 plus the actual cost of a background check by the FBI if the applicant has been a resident of Ohio for less than five years.¹ The sheriff to whom the application is made must waive the fee if the applicant is any of the following who is not retired as the result of a mental disability (R.C. 2923.125(B)(1)(c)):²

¹ The fees are set forth in divisions (B)(1)(a) and (F)(4) of R.C. 2923.125 as amended by Am. Sub. H.B. 1 of the 128th General Assembly. The version of R.C. 2923.125 used in the bill, which has been superseded by the version contained in Am. Sub. H.B. 1, requires the payment of a license fee established by the Ohio Peace Officer Training Commission.

² The waiver language in the bill is found in R.C. 2923.125(B)(1). Because of the amendments made by Am. Sub. H.B. 1, the more specific citation is now R.C. 2923.125(B)(1)(c).

(1) A retired peace officer;

(2) A retired natural resources law enforcement staff officer, park officer, forest officer, preserve officer, wildlife officer, or state watercraft officer of the Department of Natural Resources;

(3) A retired federal law enforcement officer who, prior to retirement, was authorized under federal law to carry a firearm in the course of duty.

The bill requires that a sheriff also waive the application fee if the applicant is an instructor of a firearms course, class, or program that meets the requirements for firearms competency training under R.C. 2923.125(B)(3)(a), (b), (c), or (e). These are training programs offered by or under the auspices of the National Rifle Association; a law enforcement agency, postsecondary educational institution, firearms training school, or other type of public or private entity or organization; a state, county, municipal, or Department of Natural Resources peace officer training school; or an instructor who was certified by an official or entity of the government of any state or the United States or by the National Rifle Association (see **COMMENT**). (R.C. 2923.125(B)(1).)

COMMENT

To qualify for the fee waiver under the bill, the applicant must be an instructor of a firearms course, class, or program that meets the requirements of R.C. 2923.125(B)(3)(a), (b), (c), or (e). These provisions list the following types of courses, classes, or programs, provided they meet the requirements of R.C. 2923.125(G), summarized below:

(1) A firearms safety, training, or requalification or firearms safety instructor course, class, or program that was offered by or under the auspices of the National Rifle Association (NRA);

(2) A firearms safety, training, or requalification or firearms safety instructor course, class, or program that satisfies all of the following criteria:

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

(b) It utilized qualified instructors who were certified by the NRA, the Executive Director of the Ohio Peace Officer Training Commission (OPOTC), or a governmental official or entity of another state.

(c) It was offered by or under the auspices of a law enforcement agency of Ohio or another state or the United States, a public or private college, university, or other

similar postsecondary educational institution located in Ohio or another state, a firearms training school located in Ohio or another state, or another type of public or private entity or organization located in Ohio or another state.

(3) A state, county, municipal, or Department of Natural Resources peace officer training school that is approved by the Executive Director of the OPOTC or a basic firearms training program, a firearms requalification training program, or another basic training program described in R.C. 109.78 (programs designed to qualify persons for positions as special police, security guards, or other privately employed police) or 109.801 (firearms requalification programs for publicly employed police);

(4) Another firearms training, safety, or requalification or firearms safety instructor course, class, or program that was conducted by an instructor who was certified by an official or entity of the government of Ohio or another state or the United States or by the NRA.

R.C. 2923.125(G) requires each of the foregoing courses, classes, or programs to provide each student a copy of the pamphlet prepared by the OPOTC that reviews firearms, dispute resolution, and use of deadly force matters. Each course, class, or program must include at least 12 hours of training in the safe handling and use of a firearm, including at least ten hours on matters relating to the safe handling of a handgun, proper storage practices for handguns and ammunition, and the knowledge, skills, and attitude necessary to shoot a handgun safely. At least two hours of training must consist of range time and live-fire training. Completion of the course, class, or program must require a competency examination that includes (1) a written section on the ability to name and explain the rules for the safe handling of a handgun and proper storage practices for handguns and ammunition and (2) a physical demonstration of competence in the use of a handgun and in the rules for safe handling and storage of a handgun and a physical demonstration of the attitude necessary to shoot a handgun in a safe manner.

HISTORY

ACTION	DATE
Introduced	04-29-09

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