



# Members Brief

An informational brief prepared by the LSC staff for members and staff of the Ohio General Assembly

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## History of the Concealed Handgun License Application Process

Ohio’s Concealed Handgun License Law has had substantial changes since the process was first codified in 2004. The table below summarizes the changes made to the application process in chronological order.

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### Introduction

Ohio’s Concealed Handgun License Law was enacted in 2004 by H.B. 12 of the 125<sup>th</sup> General Assembly. This legislation created a comprehensive mechanism that permits a person in specified circumstances to obtain a license to carry a concealed handgun. Since 2004, there have been many changes to the requirements to obtain a concealed handgun license (CHL). While current law<sup>1</sup> permits people ages 21 and older to carry a concealed handgun without a CHL in Ohio, many other states recognize a concealed handgun or firearm license and have reciprocity with Ohio for such licenses. The table below summarizes a timeline of the changes to the CHL application process in R.C. 2923.125. Years in which the only changes were to cross references, or years in which there were no changes, have been omitted.

<sup>1</sup> R.C. 2923.111.

## Timeline of changes

Year	Changes
2007 <sup>2</sup>	<ul style="list-style-type: none"> <li>▪ Expands the information that must be on an application for a CHL to include whether the applicant previously applied for a CHL in any Ohio county or any other state, and requires an applicant to list all such counties or other states.</li> <li>▪ Requires a sheriff to provide and accept applications for CHLs or renewals of CHLs at least 15 hours a week, the hours of which must be posted.</li> <li>▪ Prohibits a person who is illegally living in the United States, or who is subject to a suspension of a previously issued CHL for a misdemeanor offense from obtaining or renewing a CHL.</li> <li>▪ Specifies that an application for renewal of a CHL may be filed not earlier than 90 days before, and not later than 30 days after, its expiration date.</li> <li>▪ States that an appeal of a denial of a CHL or renewal, or a temporary emergency CHL, must be brought in the county served by the sheriff who denied the application.</li> <li>▪ Extends the validity of CHLs issued on or after March 14, 2007, by one year, so that they expire five years after issuance.</li> <li>▪ Increases by \$10 the fee for a CHL application or renewal made on or after March 14, 2007, such that the fee must be the lesser of the actual cost of issuing the license or \$55.</li> </ul>
2008 <sup>3</sup>	<ul style="list-style-type: none"> <li>▪ Provides relief in situations where certain prior convictions have been sealed or expunged, or from which relief from disability has been granted, so that those prior convictions will not affect a person's eligibility for a CHL.</li> <li>▪ Removes the requirement that an application for renewal be submitted within 30 days of expiration.</li> <li>▪ Removes the requirement for a new color photo and a new set of fingerprints for license renewal.</li> <li>▪ Removes the requirement that a prior competency certification be obtained within 6 years prior to license renewal, and instead allows a person to obtain a renewed competency certification from the prior course, class, or program by passing a test that demonstrates that the person is range competent. In this circumstance, the person does not necessarily need to complete the full requirements of the competency certification as required for the first CHL application.</li> </ul>

<sup>2</sup> H.B. 347 of the 126<sup>th</sup> General Assembly, effective March 14, 2007.

<sup>3</sup> S.B. 184 of the 127<sup>th</sup> General Assembly, effective September 9, 2008.

Year	Changes
2009 <sup>4</sup>	<ul style="list-style-type: none"> <li>▪ Specifies that for a person who previously legally resided in Ohio but currently lives overseas due to military orders, that person will still be considered to be a resident for purposes of a CHL application, whether or not the person intends to return.</li> <li>▪ Specifies that if a person is present in Ohio in compliance with military orders for at least 45 days, the person must be considered to have been an Ohio resident for that period of at least 45 days, and, if a person is present in an Ohio county in compliance with military orders for at least 30 days, the person must be considered to have been a resident of that county for that period of at least 30 days.</li> <li>▪ Provides that a person who has been issued a CHL and who wishes to renew it may provide, as proof that the licensee at one time had a competency certification, any previously issued license that has not been revoked.</li> <li>▪ Modifies the fee structure for a CHL based on length of residency in Ohio for both initial and renewal applications, as follows: <ul style="list-style-type: none"> <li>▫ For an applicant who has been an Ohio resident for 5 years or more, \$67 for an initial license or \$50 for renewal (but retains fee waiver for certain retired individuals);</li> <li>▫ For an applicant who has been an Ohio resident for less than 5 years, \$67 for an initial license or \$50 for renewal, plus the actual cost of an FBI background check (but retains fee waiver for certain retired individuals).</li> </ul> </li> <li>▪ Specifies that applicants are not required to pay the cost of the background check run by the Bureau of Criminal Investigation and Identification (BCII).</li> <li>▪ Creates a statutory form for an application to renew a CHL, requires a sheriff to conduct criminal records and incompetency checks of an applicant for renewal only from the date of the applicant's last application, and authorizes submission of an expired license as prima-facie evidence that an applicant for renewal at one time had an appropriate competency certification.</li> </ul>
2013 <sup>5</sup>	<ul style="list-style-type: none"> <li>▪ Eliminates the requirement that an applicant for renewal of a CHL present certification of competency.</li> </ul>
2015 <sup>6</sup>	<ul style="list-style-type: none"> <li>▪ Eliminates the requirement that an applicant be a resident of Ohio for at least 45 days and a resident of the county in which the applicant seeks the CHL, or an adjacent county, for at least 30 days in order to receive or renew a CHL.</li> </ul>

<sup>4</sup> H.B. 450 of the 127<sup>th</sup> General Assembly, effective April 7, 2009, and H.B. 1 of the 128<sup>th</sup> General Assembly, effective July 17, 2009.

<sup>5</sup> H.B. 495 of the 129<sup>th</sup> General Assembly, effective March 27, 2013.

<sup>6</sup> H.B. 234 of the 130<sup>th</sup> General Assembly, effective March 23, 2015.

Year	Changes
	<ul style="list-style-type: none"> <li>▪ Permits a person who does not reside in Ohio to receive or renew a CHL if the person is employed in Ohio and provides adequate proof of that employment.</li> <li>▪ Allows a person who usually resides in another state to apply for a temporary emergency CHL in the county in which the person is temporarily staying.</li> <li>▪ Reduces the minimum hours required for a firearms competency certification course from 12 to 8, requires a minimum of 2 hours of in-person training that consists of range time and live-fire training, and allows for a combination of in-person and online training.</li> <li>▪ Provides that a firearms safety, training, or requalification or firearms safety instructor course, class, or program can be offered by or under the auspices of a national gun advocacy organization, instead of specifically the NRA.</li> <li>▪ Expands law that exempts a former military member from the competency certification requirement for a CHL by providing that the person be retired or discharged within the past 10 years (instead of 6 under prior law) in order to be exempt from the certification requirement.</li> <li>▪ Exempts from the competency certification requirement any applicant who has successfully completed the Ohio Peace Officer Training Program.</li> <li>▪ Specifies that an applicant is ineligible for a CHL if the applicant's out-of-state CHL is suspended for reasons similar to the reasons that trigger a CHL suspension in Ohio.</li> <li>▪ Prohibits an alien who has been admitted to the United States under a nonimmigrant visa from receiving a CHL.</li> <li>▪ Requires an applicant who is not a U.S. citizen or national to provide the name of the applicant's country of citizenship and alien registration number.</li> <li>▪ Requires an applicant for a CHL to certify that the applicant has not renounced the applicant's U.S. citizenship.</li> <li>▪ Makes several changes to the criminal charges and convictions that disqualify an applicant for a CHL, and specifically disqualifies an applicant for similar violations in other states.</li> <li>▪ Removes certain offenses that under prior law disqualified an applicant for a CHL, including offenses relating to the regulation of business practices and misdemeanors punishable by imprisonment for 2 years or less.</li> <li>▪ Prohibits a license agent from considering a conviction, guilty plea, or delinquent child adjudication to a minor misdemeanor when making a determination regarding an application, renewal, or application on a temporary basis for a CHL.</li> <li>▪ Requires an applicant to certify that the applicant is not an unlawful user of or addicted to any controlled substance, as defined in federal law.</li> </ul>

Year	Changes
	<ul style="list-style-type: none"> <li>▪ Prohibits a person who has been discharged from the U.S. armed forces under dishonorable conditions from receiving a CHL.</li> <li>▪ Provides that the Ohio CHL of a person who is no longer an Ohio resident or no longer employed in Ohio is valid until the CHL's expiration date, and the person may not renew it.</li> <li>▪ Repeals the statutory CHL application form and instead requires the Attorney General to prescribe the form and make it available to license agents.</li> <li>▪ Requires the Attorney General to make printable versions of the application forms available online.</li> <li>▪ Establishes a 6-month CHL renewal grace period for individuals who are on active duty in the armed forces or in service with the Peace Corps, the Volunteers in Service to America, or the U.S. foreign service, or is the spouse or dependent of such a person.</li> </ul>
2018 <sup>7</sup>	<ul style="list-style-type: none"> <li>▪ Waives the license fee that is otherwise required to obtain a CHL for applicants who are active or reserve members of the U.S. armed forces, or who have retired from or were honorably discharged from U.S. military service.</li> <li>▪ Caps the waiver of license fees at \$1,500,000 annually.</li> <li>▪ Permits an applicant for a CHL who has retired from or has been honorably discharged from U.S. military service to submit evidence of the military service as proof of competency, regardless of when the applicant retired or was honorably discharged.</li> <li>▪ Permits a licensee to renew a CHL at any time before the license expires, eliminating the previous 90-day renewal window.</li> </ul>

<sup>7</sup> S.B. 81 of the 132<sup>nd</sup> General Assembly, effective November 5, 2018.