

ORDINANCE 27-2024

**AN ORDINANCE AMENDING THE VILLAGE OF MINERVA PARK CODIFIED ORDINANCES TO PROVIDE UPDATES TO SECTIONS 608.09, 624.01, 666.02, 666.03, 673.20, 678.14, and 698.05 OF THE VILLAGE CODE, TO PROVIDE FOR PENALTIES, TO PROVIDE FOR CODIFICATION, TO PROVIDE FOR SEVERABILITY, AND TO REPEAL CONFLICTING ORDINANCES.**

WHEREAS, the Village Council of the Village of Minerva Park is authorized by Ohio Rev. Code § 715.01 to adopt ordinances relating to its property, affairs and local government; and

WHEREAS, there have been several amendments to provisions of Ohio state law that are codified in Village Codified Ordinances that require updates to the Village Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MINERVA PARK, COUNTY OF FRANKLIN, STATE OF OHIO:

Section 1. That Codified Ordinances of the Village of Minerva Park shall be amended as shown in Exhibit A, which is attached hereto and incorporated herein.

Section 2. That the addition, amendment, or removal of Village of Minerva Park Code Sections when passed in such form as to indicate the intention of the governing authority of the City of Minerva Park, Ohio to make the same a part of the Municipal Code shall be deemed to be incorporated in the Municipal Code, so that reference to the Municipal Code includes the additions, amendments, and removals.

Section 3. The Village's codifier is authorized to exclude and omit any provisions of this ordinance that are inapplicable to the City's Municipal Code.

Section 4. Supplementation of Code.

(a) In preparing a supplement to the Village's Codified Ordinances, all portions of this ordinance which have been repealed shall be excluded from the Village's Codified Ordinances by the omission thereof from reprinted pages.

(b) When preparing a supplement to the Village's Codified Ordinances, the codifier may make formal, non-substantive changes in this ordinance and parts of this ordinance included in the supplement, insofar as it is necessary to do so to embody them into a unified code. For example, the codifier may:

(1) Organize the ordinance material into appropriate subdivisions;

(2) Provide appropriate catchlines, headings and titles for sections and other subdivisions of the Village's Codified Ordinances printed in the supplement, and make changes in such catchlines, headings, and titles;

(3) Assign appropriate numbers to sections and other subdivisions to be inserted in the Village's Codified Ordinances and, where necessary to accommodate new material, change existing section or other subdivision numbers;

(4) Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections \_\_\_\_\_ to \_\_\_\_\_" (inserting section numbers to indicate the sections of the Village's Codified

Ordinances which embody the substantive sections, or the ordinance incorporated into the Code); and

(5) Make other nonsubstantive changes necessary to preserve the original meaning of ordinance sections inserted into the Village's Codified Ordinances; but in no case shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodies in the Village's Codified Ordinances.

(c) In preparing a supplement to the Village's Codified Ordinances, the pages of a supplement shall be so numbered that they will fit properly into the Village's Codified Ordinances and will, where necessary, replace pages which have become obsolete or partially obsolete, and the new pages shall be so prepared that, when they have been inserted, the Village's Codified Ordinances will be current through the date of the adoption of the latest ordinance included in the supplement.

Section 5. Provisions of Exhibit A that duplicate or track State statutes which do not become effective until after the effective date of this ordinance, shall not take effect until such statutes take effect.

Section 6. That it is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code

Section 7. If any section, subsection, sentence, clause, phrase or portion of the Ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances. The governing authority of the City of Minerva Park, Ohio hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable.

Section 8. All ordinances and parts of ordinances in conflict herewith are expressly repealed.

Section 9. The adoption date of this ordinance is November 21, 2024 and the effective date of this ordinance shall be December 21, 2024

Passed this 21st day of November 2024.

First Reading: October 24, 2024  
Second Reading: November 14, 2024  
Third Reading: November 21, 2024  
Passed: November 21, 2024

\_\_\_\_\_  
Tiffany Southard, Mayor

**ATTESTS**

**APPROVED AS TO FORM**

\_\_\_\_\_  
Jeffrey Wilcheck, Fiscal Officer

\_\_\_\_\_  
Jesse Shamp, Solicitor

**608.09 Compliance with lawful order of police officer; fleeing.**

- (a) No person shall fail to comply with any lawful order or direction of any police officer invested with authority to direct, control or regulate traffic.
- (b) No person shall operate a motor vehicle so as willfully to elude or flee a police officer after receiving a visible or audible signal from a police officer to bring the person's motor vehicle to a stop.
- (c) (1) Whoever violates this section is guilty of failure to comply with an order or signal of a police officer.
  - (2) A violation of division (a) of this section is a misdemeanor of the first degree.
  - (3) Except as provided in divisions (c)(4) and (c)(5) of this section, a violation of division (b) of this section is a ~~misdemeanor~~ felony of the ~~first~~ fourth degree.
  - (4) ~~Except as provided in division (c)(5) of this section, a~~ A violation of division (b) of this section is a felony of the third degree and shall be prosecuted under appropriate state law if the jury or judge as trier of fact finds by proof beyond a reasonable doubt that in committing the offense, the offender was fleeing immediately after the commission of a felony.
- (5) A. A violation of division (b) of this section is a felony and shall be prosecuted under appropriate state law if the jury or judge as trier of fact finds any of the following by proof beyond a reasonable doubt:
  - 1. The operation of the motor vehicle by the offender was a proximate cause of serious physical harm to persons or property.
  - 2. The operation of the motor vehicle by the offender caused a substantial risk of serious physical harm to persons or property.
- B. If a police officer pursues an offender who is violating division (b) of this section and division (c)(5)A. of this section applies, the sentencing court, in determining the seriousness of an offender's conduct for purposes of sentencing the offender for a violation of division (b) of this section, shall consider, along with the factors set forth in R.C. §§ 2929.12 and 2929.13 that are required to be considered, all of the following:
  - 1. The duration of the pursuit;
  - 2. The distance of the pursuit;
  - 3. The rate of speed at which the offender operated the motor vehicle during the pursuit;
  - 4. Whether the offender failed to stop for traffic lights or stop signs during the pursuit;
  - 5. The number of traffic lights or stop signs for which the offender failed to stop during the pursuit;
  - 6. Whether the offender operated the motor vehicle during the pursuit without lighted lights during a time when lighted lights are required;
  - 7. Whether the offender committed a moving violation during the pursuit;
  - 8. The number of moving violations the offender committed during the pursuit;
  - 9. Any other relevant factors indicating that the offender's conduct is more serious than conduct normally constituting the offense.
- (d) In addition to any other sanction imposed for a violation of division (a) of this section or a misdemeanor violation of division (b) of this section, the court shall impose a class five suspension from the range specified in R.C. § 4510.02(A)(5). If the offender previously has been found guilty of an offense under

this section or under R.C. § 2921.331 or any other substantially equivalent municipal ordinance, in addition to any other sanction imposed for the offense, the court shall impose a class one suspension as described in R.C. § 4510.02(A)(1). The court may grant limited driving privileges to the offender on a suspension imposed for a misdemeanor violation of this section as set forth in R.C. § 4510.021. No judge shall suspend any portion of the suspension under a class one suspension of an offender's license, permit, or privilege required by this division.

- (e) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

*Moving violation* has the same meaning as in R.C. § 2743.70.

*Police officer* has the same meaning as in R.C. § 4511.01.

**State Law reference—** R.C. §§ 2921.331(A)—(C), (E), (F)

#### **624.01 Definitions.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Words, terms and phrases and their derivatives used in this chapter which are not defined in this section shall have the meanings given to them in the Ohio Revised Code.

*Administer* has the same meaning as in R.C. § 3719.01.

*Adulterate* means to cause a drug to be adulterated as described in R.C. § 3715.63.

*Alcohol and drug addiction services* has the same meaning as in R.C. § 5119.01.

*Bulk amount* of a controlled substance, means any of the following:

- (a) For any compound, mixture, preparation, or substance included in Schedule I, Schedule II, or Schedule III, with the exception of any controlled substance analog, marihuana, cocaine, L.S.D., heroin, any fentanyl-related compound, and hashish and except as provided in division (b), (c), (d), (e), or (f) of this definition, whichever of the following is applicable:
- (1) An amount equal to or exceeding ten (10) grams or 25 unit doses of a compound, mixture, preparation or substance that is or contains any amount of a Schedule I opiate or opium derivative;
  - (2) An amount equal to or exceeding ten (10) grams of a compound, mixture, preparation or substance that is or contains any amount of raw or gum opium;
  - (3) An amount equal to or exceeding 30 grams or ten (10) unit doses of a compound, mixture, preparation or substance that is or contains any amount of a Schedule I hallucinogen other than tetrahydrocannabinol or lysergic acid amide, or a Schedule I stimulant or depressant;
  - (4) An amount equal to or exceeding 20 grams or five (5) times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation or substance that is or contains any amount of a Schedule II opiate or opium derivative;
  - (5) An amount equal to or exceeding five (5) grams or ten (10) unit doses of a compound, mixture, preparation or substance that is or contains any amount of phencyclidine;
  - (6) An amount equal to or exceeding 120 grams or 30 times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation or substance that is or contains any amount of a Schedule II stimulant that is in a final dosage form manufactured by a person authorized by the Federal Food, Drug and Cosmetic Act (21 U.S.C. §§ 301 et seq., as amended) and the federal drug abuse control

laws, as defined in this section, that is or contains any amount of a Schedule II depressant substance or a Schedule II hallucinogenic substance;

- (7) An amount equal to or exceeding three (3) grams of a compound, mixture, preparation, or substance that is or contains any amount of a Schedule II stimulant, or any of its salts or isomers, that is not in a final dosage form manufactured by a person authorized by the Federal Food, Drug and Cosmetic Act (21 U.S.C. §§ 301 et seq., as amended) and the federal drug abuse control laws;
- (b) An amount equal to or exceeding 120 grams or 30 times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation or substance that is or contains any amount of a Schedule III or IV substance other than an anabolic steroid or a Schedule III opiate or opium derivative;
- (c) An amount equal to or exceeding 20 grams or five (5) times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation or substance that is or contains any amount of a Schedule III opiate or opium derivative;
- (d) An amount equal to or exceeding 250 milliliters or 250 grams of a compound, mixture, preparation or substance that is or contains any amount of a Schedule V substance;
- (e) An amount equal to or exceeding 200 solid dosage units, 16 grams, or 16 milliliters of a compound, mixture, preparation or substance that is or contains any amount of a Schedule III anabolic steroid;
- (f) For any compound, mixture, preparation, or substance that is a combination of a fentanyl-related compound and any other compound, mixture, preparation, or substance included in Schedule III, Schedule IV, or Schedule V, if the defendant is charged with a violation of R.C. § 2925.11 and the sentencing provisions set forth in R.C. § 2925.11(C)(10)(b) and (C)(11) will not apply regarding the defendant and the violation, the bulk amount of the controlled substance for purposes of the violation is the amount specified in division (1), (2), (3), (4), or (5) of this definition for the other Schedule III, Schedule IV, or Schedule V controlled substance that is combined with the fentanyl-related compound.

*Certified grievance committee* means a duly constituted and organized committee of the Ohio State Bar Association or of one (1) or more local bar associations of the state that complies with the criteria set forth in Rule V, Section 6 of the Rules for the Government of the Bar of Ohio.

*Cocaine* means any of the following:

- (a) A cocaine salt, isomer or derivative, a salt of a cocaine isomer or derivative, or the base form of cocaine.
- (b) Coca leaves or a salt, compound, derivative or preparation of coca leaves, including ecgonine, a salt, isomer or derivative of ecgonine, or a salt of an isomer or derivative of ecgonine.
- (c) A salt, compound, derivative or preparation of a substance identified in division (a) or (b) of this definition that is chemically equivalent to or identical with any of those substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves if the extractions do not contain cocaine or ecgonine.

*Committed in the vicinity of a juvenile* means an offense is "committed in the vicinity of a juvenile" if the offender commits the offense within 100 feet of a juvenile or within the view of a juvenile, regardless of whether the offender knows the age of the juvenile, whether the offender knows the offense is being committed within 100 feet of or within view of the juvenile, or whether the juvenile actually views the commission of the offense.

*Committed in the vicinity of a school* means an offense is "committed in the vicinity of a school" if the offender commits the offense on school premises, in a school building, or within 1,000 feet of the

boundaries of any school premises, regardless of whether the offender knows the offense is being committed on school premises, in a school building, or within 1,000 feet of the boundaries of any school premises.

*Committed in the vicinity of a substance addiction services provider or a recovering addict* means an offense is "committed in the vicinity of a substance addiction services provider or a recovering addict" if either of the following apply:

- (a) The offender commits the offense on the premises of a substance addiction services provider's facility, including a facility licensed prior to June 29, 2019, under R.C. § 5119.391 to provide methadone treatment or an opioid treatment program licensed on or after that date under R.C. § 5119.37, or within 500 feet of the premises of a substance addiction services provider's facility and the offender knows or should know that the offense is being committed within the vicinity of the substance addiction services provider's facility.
- (b) The offender sells, offers to sell, delivers, or distributes the controlled substance or controlled substance analog to a person who is receiving treatment at the time of the commission of the offense, or received treatment within 30 days prior to the commission of the offense, from a substance addiction services provider and the offender knows that the person is receiving or received that treatment.

*Controlled substance* has the same meaning as in R.C. § 3719.01.

*Controlled substance analog* has the same meaning as in R.C. § 3719.01.

*Counterfeit controlled substance* means any of the following:

- (a) Any drug that bears, or whose container or label bears, a trademark, trade name or other identifying mark used without authorization of the owner of rights to the trademark, trade name or identifying mark.
- (b) Any unmarked or unlabeled substance that is represented to be a controlled substance manufactured, processed, packed or distributed by a person other than the person that manufactured, processed, packed or distributed it.
- (c) Any substance that is represented to be a controlled substance but is not a controlled substance or is a different controlled substance.
- (d) Any substance other than a controlled substance that a reasonable person would believe to be a controlled substance because of its similarity in shape, size and color, or its markings, labeling, packaging, distribution or the price for which it is sold or offered for sale.

*Cultivate* includes planting, watering, fertilizing or tilling.

*Dangerous drug* has the same meaning as in R.C. § 4729.01.

*Deception* has the same meaning as in R.C. § 2913.01.

*Disciplinary counsel* means the disciplinary counsel appointed by the Board of Commissioners on Grievances and Discipline of the Ohio Supreme Court under the Rules for the Government of the Bar of Ohio.

*Dispense* has the same meaning as in R.C. § 3719.01.

*Distribute* has the same meaning as in R.C. § 3719.01.

*Drug* has the same meaning as in R.C. § 4729.01.

*Drug abuse offense* means any of the following:

- (a) A violation of R.C. § 2913.02(A) that constitutes theft of drugs, or any violation of R.C. § 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36 or 2925.37.
- (b) A violation of an existing or former law of any municipality, state or of the United States, that is substantially equivalent to any section listed in division (a) of this definition.
- (c) An offense under an existing or former law of any municipality, state or of the United States, of which planting, cultivating, harvesting, processing, making, manufacturing, producing, shipping, transporting, delivering, acquiring, possessing, storing, distributing, dispensing, selling, inducing another to use, administering to another, using or otherwise dealing with a controlled substance is an element.
- (d) A conspiracy to commit, attempt to commit, or complicity in committing or attempting to commit, any offense under division (a), (b) or (c) of this definition.

*Drug dependent person* has the same meaning as in R.C. § 3719.011.

*Drug of abuse* has the same meaning as in R.C. § 3719.011.

*Felony drug abuse offense* means any drug abuse offense that would constitute a felony under the laws of this state, any other state or the United States.

*Fentanyl-related compound* means any of the following:

- (a) Fentanyl;
- (b) Alpha-methylfentanyl(N-[1-(alpha-methyl-beta-phenyl)ethyl-4-\_\_piperidyl]propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);
- (c) Alpha-methylthiofentanyl(N-[1-methyl-2-(2-thienyl)ethyl-4-\_\_\_\_\_piperidiny]-N-phenylpropanamide);
- (d) Beta-hydroxyfentanyl(N-[1-(2-hydroxy-2-phenethyl-4-piperidiny]-N- phenylpropanamide);
- (e) Beta-hydroxy-3-methylfentanyl(other name:N-[1-(2-hydroxy-2-\_\_phenethyl)-3- methyl-4-~~piperidiny~~ piperidiny]-N-phenylpropanamide);
- (f) 3-methylfentanyl(N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N- phenylpropanamide);
- (g) 3-methylthiofentanyl(N-[3-methyl-1-[2-(thienyl)ethyl]-4-piperidiny]-N- phenylpropanamide);
- (h) Para-fluorofentanyl(N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4- piperidiny]propanamide;
- (i) Thiofentanyl(N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidiny]-propanamide;
- (j) Alfentanil;
- (k) Carfentanil;
- (l) Remifentanil;
- (m) Sufentanil;
- (n) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidiny]-N- phenylacetamide); and
- (o) Any compound that meets all of the following fentanyl pharmacophore requirements to bind at the mu receptor, as identified by a report from an established forensic laboratory, including acetylfentanyl, furanylfentanyl, valerylfentanyl, butyrylfentanyl, isobutyrylfentanyl, 4-methoxybutyrylfentanyl, para-fluorobutyrylfentanyl, acrylfentanyl, and ortho-fluorofentanyl:
  - (1) A chemical scaffold consisting of both of the following:

- A. A five-, six-, or seven-member ring structure containing a nitrogen, whether or not further substituted;
- B. An attached nitrogen to the ring, whether or not that nitrogen is enclosed in a ring structure, including an attached aromatic ring or other lipophilic group to that nitrogen.
- (2) A polar functional group attached to the chemical scaffold, including, but not limited to, a hydroxyl, ketone, amide, or ester;
- (3) An alkyl or aryl substitution off the ring nitrogen of the chemical scaffold; and
- (4) The compound has not been approved for medical use by the United States food and drug administration.

*Harmful intoxicant* does not include beer or intoxicating liquor, but means any of the following:

- (a) Any compound, mixture, preparation or substance the gas, fumes or vapor of which when inhaled can induce intoxication, excitement, giddiness, irrational behavior, depression, stupefaction, paralysis, unconsciousness, asphyxiation or other harmful physiological effects, and includes, but is not limited to, any of the following:
  - (1) Any volatile organic solvent, plastic cement, model cement, fingernail polish remover, lacquer thinner, cleaning fluid, gasoline or other preparation containing a volatile organic solvent.
  - (2) Any aerosol propellant.
  - (3) Any fluorocarbon refrigerant.
  - (4) Any anesthetic gas.
- (b) Gamma Butyrolactone;
- (c) 1,4 Butanediol.

*Hashish* means:

- (a) A resin or a preparation of a resin to which both of the following apply:
  - (1) It is contained in or derived from any part of the plant of the genus cannabis, whether in solid form or in a liquid concentrate, liquid extract, or liquid distillate form.
  - (2) It has a delta-9 tetrahydrocannabinol concentration of more than three-tenths percent.
- (b) The term does not include a hemp byproduct in the possession of a licensed hemp processor under R.C. Ch. 928, provided that the hemp byproduct is being produced, stored, and disposed of in accordance with rules adopted under R.C. § 928.03.

*Hypodermic* has the same meaning as in R.C. § 3719.01.

*Juvenile* means a person under 18 years of age.

*Licensed health professional authorized to prescribe drugs* has the same meaning as in R.C. § 4729.01.

*L.S.D.* means lysergic acid diethylamide.

*Major drug offender* has the same meaning as in R.C. § 2929.01.

*Mandatory prison term* has the same meaning as in R.C. § 2929.01.

*Manufacture* means to plant, cultivate, harvest, process, make, prepare or otherwise engage in any part of the production of a drug, by propagation, extraction, chemical synthesis or compounding, or any combination of the same, and includes packaging, repackaging, labeling and other activities incident to production.

*Manufacturer* has the same meaning as in R.C. § 3719.01.



*Marihuana* has the same meaning as in R.C. § 3719.01, except that it does not include hashish.

*Methamphetamine* means methamphetamine, any salt, isomer or salt of an isomer of methamphetamine, or any compound, mixture, preparation or substance containing methamphetamine or any salt, isomer or salt of an isomer of methamphetamine.

*Minor drug possession offense* means either of the following:

- (a) A violation of R.C. § 2925.11, as it existed prior to July 1, 1996, or a substantially equivalent municipal ordinance.
- (b) A violation of R.C. § 2925.11, as it exists on and after July 1, 1996, or a substantially equivalent municipal ordinance, that is a misdemeanor or a felony of the fifth degree.

*Official written order* has the same meaning as in R.C. § 3719.01.

*Person* has the same meaning as in R.C. § 3719.01.

*Pharmacist* has the same meaning as in R.C. § 3719.01.

*Pharmacy* has the same meaning as in R.C. § 3719.01.

*Possess or possession* means having control over a thing or substance but may not be inferred solely from mere access to the thing or substance through ownership or occupation of the premises upon which the thing or substance is found.

*Premises of a substance addiction services provider's facility* means the parcel of real property on which any substance addiction service provider's facility is situated.

*Prescription* has the same meaning as in R.C. § 4729.01.

*Presumption for a prison term or presumption that a prison term shall be imposed* means a presumption as described in R.C. § 2929.13(D) that a prison term is a necessary sanction for a felony in order to comply with the purposes and principles of sentencing under R.C. § 2929.11.

*Professional license* means any license, permit, certificate, registration, qualification, admission, temporary license, temporary permit, temporary certificate or temporary registration that is described in R.C. § 2925.01(W)(1) to (W)(37) and that qualifies a person as a professionally licensed person.

*Professionally licensed person* means any of the following:

- (a) A person who has received a certificate or temporary certificate as a certified public accountant or who has registered as a public accountant under R.C. Ch. 4701 and who holds an Ohio permit issued under that chapter;
- (b) A person who holds a certificate of qualification to practice architecture issued or renewed and registered under R.C. Ch. 4703;
- (c) A person who is registered as a landscape architect under R.C. Ch. 4703 or who holds a permit as a landscape architect issued under that chapter;
- (d) A person licensed under R.C. Ch. 4707;
- (e) A person who has been issued a certificate of registration as a registered barber's license barber instructor's license, assistant barber instructor's license, or independent contractor's license under R.C. Ch. 4709;
- (f) A person licensed and regulated to engage in the business of a debt pooling company by a legislative authority, under authority of R.C. Ch. 4710;
- (g) A person who has been issued a cosmetologist's license, hair designer's license, manicurist's license, esthetician's license, natural hair stylist's license, advanced cosmetologist's license to practice cosmetology, advanced license to practice hair design, advanced hair designer's license license to

~~practice manicuring, advanced manicurist's license license to practice esthetics, advanced esthetician's license, advanced license to practice natural hair stylist's license styling, cosmetology instructor's license, hair design instructor's license, manicurist instructor's license, esthetics instructor's license, natural hair style instructor's license, independent contractor's license, or tanning facility permit under R.C. Ch. 4713;~~

- (h) A person who has been issued a license to practice dentistry, a general anesthesia permit, a conscious sedation permit, a limited resident's license, a limited teaching license, a dental hygienist's license or a dental hygienist's teacher's certificate under R.C. Ch. 4715;
- (i) A person who has been issued an embalmer's license, a funeral director's license, a funeral home license or a crematory license, or who has been registered for an embalmer's or funeral director's apprenticeship under R.C. Ch. 4717;
- (j) A person who has been licensed as a registered nurse or practical nurse, or who has been issued a certificate for the practice of nurse-midwifery under R.C. Ch. 4723;
- (k) A person who has been licensed to practice optometry or to engage in optical dispensing under R.C. Ch. 4725;
- (l) A person licensed to act as a pawnbroker under R.C. Ch. 4727;
- (m) A person licensed to act as a precious metals dealer under R.C. Ch. 4728;
- (n) A person licensed under R.C. Ch. 4729 as a pharmacist or pharmacy intern or registered under that chapter as a registered pharmacy technician, certified pharmacy technician, or pharmacy technician trainee;
- (o) A person licensed under R.C. Ch. 4729 as a manufacturer of dangerous drugs, outsourcing facility, third-party logistics provider, repackager of dangerous drugs, wholesale distributor of dangerous drugs, or terminal distributor of dangerous drugs;
- (p) A person who is authorized to practice as a physician assistant under R.C. Ch. 4730;
- (q) A person who has been issued a license to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery under R.C. Ch. 4731 or has been issued a certificate to practice a limited branch of medicine under that chapter;
- (r) A person licensed as a psychologist or school psychologist under R.C. Ch. 4732;
- (s) A person registered to practice the profession of engineering or surveying under R.C. Ch. 4733;
- (t) A person who has been issued a license to practice chiropractic under R.C. Ch. 4734;
- (u) A person licensed to act as a real estate broker or real estate salesperson under R.C. Ch. 4735;
- (v) A person registered as a registered environmental health specialist under R.C. Ch. 4736;
- (w) A person licensed to operate or maintain a junkyard under R.C. Ch. 4737;
- (x) A person who has been issued a motor vehicle salvage dealer's license under R.C. Ch. 4738;
- (y) A person who has been licensed to act as a steam engineer under R.C. Ch. 4739;
- (z) A person who has been issued a license or temporary permit to practice veterinary medicine or any of its branches, or who is registered as a graduate animal technician under R.C. Ch. 4741;
- (aa) A person who has been issued a hearing aid dealer's or fitter's license or trainee permit under R.C. Ch. 4747;
- (bb) A person who has been issued a class A, class B or class C license or who has been registered as an investigator or security guard employee under R.C. Ch. 4749;
- (cc) A person licensed to practice as a nursing home administrator under R.C. Ch. 4751;

- (dd) A person licensed to practice as a speech-language pathologist or audiologist under R.C. Ch. 4753;
- (ee) A person issued a license as an occupational therapist or physical therapist under R.C. Ch. 4755;
- (ff) A person who is licensed as a licensed professional clinical counselor, licensed professional counselor, social worker, independent social worker, independent marriage and family therapist, or marriage and family therapist, or registered as a social work assistant under R.C. Ch. 4757;
- (gg) A person issued a license to practice dietetics under R.C. Ch. 4759;
- (hh) A person who has been issued a license or limited permit to practice respiratory therapy under R.C. Ch. 4761;
- (ii) A person who has been issued a real estate appraiser certificate under R.C. Ch. 4763;
- (jj) A person who has been issued a home inspector license under R.C. Ch. 4764;
- (kk) A person who has been admitted to the bar by order of the Ohio Supreme Court in compliance with its prescribed and published rules.

*Public premises* means any hotel, restaurant, tavern, store, arena, hall or other place of public accommodation, business, amusement or resort.

*Sale* has the same meaning as in R.C. § 3719.01.

*Sample drug* means a drug or pharmaceutical preparation that would be hazardous to health or safety if used without the supervision of a licensed health professional authorized to prescribe drugs, or a drug of abuse, and that, at one (1) time, had been placed in a container plainly marked as a sample by a manufacturer.

*Schedule I, Schedule II, Schedule III, Schedule IV or Schedule V* have the same meaning as in R.C. § 3719.01.

*School* means any school operated by a board of education, any community school established under R.C. Ch. 3314, or any nonpublic school for which the ~~state board~~ Director of education and Workforce prescribes minimum standards under R.C. § 3301.07, whether or not any instruction, extracurricular activities or training provided by the school is being conducted at the time a criminal offense is committed.

*School building* means any building in which any of the instruction, extracurricular activities or training provided by a school is conducted, whether or not any instruction, extracurricular activities or training provided by the school is being conducted in the school building at the time a criminal offense is committed.

*School premises* means either of the following:

- (a) The parcel of real property on which any school is situated, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted on the premises at the time a criminal offense is committed.
- (b) Any other parcel of real property that is owned or leased by a board of education of a school, the governing authority of a community school established under R.C. Ch. 3314, or the governing body of a nonpublic school for which the state board of education prescribes minimum standards under R.C. § 3301.07 and on which some of the instruction, extracurricular activities or training of the school is conducted, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted on the parcel of real property at the time a criminal offense is committed.

*Standard pharmaceutical reference manual* means the current edition, with cumulative changes if any, of references that are approved by the state board of pharmacy.

*Substance addiction services provider* means an agency, association, corporation or other legal entity, individual, or program that provides one (1) or more of the following at a facility:

- (a) Either alcohol addiction services, or drug addiction services, or both such services that are certified by the Ohio Director of Mental Health and Addiction Services under R.C. § 5119.36;
- (b) Recovery supports that are related to either alcohol addiction services, or drug addiction services, or both such services and paid for with federal, state, or local funds administered by the Ohio Department of Mental Health and Addiction Services or a board of alcohol, drug addiction, and mental health services.

*Unit dose* means an amount or unit or a compound, mixture or preparation containing a controlled substance that is separately identifiable and in a form that indicates that it is the amount or unit by which the controlled substance is separately administered to or taken by an individual.

*Wholesaler* has the same meaning as in R.C. § 3719.01.

**State Law reference—** R.C. § 2925.01

#### **666.02 Unlawful sexual conduct with a minor.**

- (a) No person who is 18 years of age or older shall engage in sexual conduct with ~~another who is not the spouse of the offender~~, when the offender knows the other person is 13 years of age or older but less than 16 years of age, or the offender is reckless in that regard.
- (b) Whoever violates this section is guilty of unlawful sexual conduct with a minor.
  - (1) Except as otherwise provided in division (b)(2), unlawful sexual conduct with a minor is a felony to be prosecuted under appropriate state law.
  - (2) Except as otherwise provided in division (b)(3) of this section, if the offender is less than four (4) years older than the other person, unlawful sexual conduct with a minor is a misdemeanor of the first degree.
  - (3) If the offender previously has been convicted of or pleaded guilty to a violation of R.C. § 2907.02, 2907.03 or 2907.04, or any substantially equivalent municipal ordinance, or a violation of former R.C. § 2907.12, or any substantially equivalent municipal ordinance, unlawful sexual conduct with a minor is a felony to be prosecuted under appropriate state law.

**State Law reference—** R.C. § 2907.04

#### **666.03 Sexual imposition.**

- (a) No person shall have sexual contact with another, ~~not the spouse of the offender~~; cause another, ~~not the spouse of the offender~~, to have sexual contact with the offender; or cause two (2) or more other persons to have sexual contact when any of the following applies:
  - (1) The offender knows that the sexual contact is offensive to the other person, or one (1) of the other persons, or is reckless in that regard.
  - (2) The offender knows that the other person's, or one (1) of the other person's ability to appraise the nature of or control the offender's or touching person's conduct is substantially impaired.
  - (3) The offender knows that the other person, or one (1) of the other persons, submits because of being unaware of the sexual contact.

- (4) The other person, or one (1) of the other persons, is 13 years of age or older but less than 16 years of age, whether or not the offender knows the age of the person, and the offender is at least 18 years of age and four (4) or more years older than the other person.
  - (5) The offender is a mental health professional, the other person or one (1) of the other persons is a mental health client or patient of the offender, and the offender induces the other person who is the client or patient to submit by falsely representing to the other person who is the client or patient that the sexual contact is necessary for mental health treatment purposes.
- (b) No person shall be convicted of a violation of this section solely upon the victim's testimony unsupported by other evidence.
- (c) Whoever violates this section is guilty of sexual imposition, a misdemeanor of the third degree. If the offender previously has been convicted of or pleaded guilty to a violation of this section, R.C. § 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, former R.C. § 2907.12, or a substantially equivalent state law or municipal ordinance, a violation of this section is a misdemeanor of the first degree. If the offender previously has been convicted of or pleaded guilty to three (3) or more violations of this section, R.C. § 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, former R.C. § 2907.12, or a substantially equivalent state law or municipal ordinance, or of any combination of those sections, a violation of this section is a misdemeanor of the first degree and, notwithstanding the range of jail terms prescribed in R.C. § 2929.24, the court may impose on the offender a definite jail term of not more than one year.

**State Law reference**— Gross sexual imposition, felony, see R.C. § 2907.05; Notice to licensing board or agency upon indictment, conviction or guilty plea of mental health professional, see R.C. §§ 2907.17 and 2907.18; R.C. § 2907.06

## **672.20 Insurance fraud.**

- (a) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

*Data* has the same meaning as in R.C. § 2913.01 and additionally includes any other representation of information, knowledge, facts, concepts or instructions that are being or have been prepared in a formalized manner.

*Deceptive* means a statement, in whole or in part, would cause another to be deceived because it contains a misleading representation, withholds information, prevents the acquisition of information, or by any other conduct, act or omission creates, confirms or perpetuates a false impression, including, but not limited to, a false impression as to law, value, state of mind or other objective or subjective fact.

*Insurer* means any person that is authorized to engage in the business of insurance in this state under R.C. Tit. 39, the Ohio Fair Plan Underwriting Association created under R.C. § 3929.43, the assigned risk plan created under R.C. § 4509.70, any health insuring corporation, and any legal entity that is self-insured and provides benefits to its employees or members.

*Policy* means a policy, certificate, contract or plan that is issued by an insurer.

*Statement* includes, but is not limited to, any notice, letter, or memorandum; proof of loss; bill of lading; receipt for payment; invoice, account or other financial statement; estimate of property damage; bill for services; diagnosis or prognosis; prescription; hospital, medical or dental chart or other record; x-ray, photograph, videotape or movie film; test result; other evidence of loss, injury or expense; computer-generated document; and data in any form.

- (b) No person, with purpose to defraud or knowing that the person is facilitating a fraud, shall do either of the following:

- (1) Present to, or cause to be presented to, an insurer any written or oral statement that is part of, or in support of, an application for insurance, a claim for payment pursuant to a policy, or a claim for any other benefit pursuant to a policy, knowing that the statement, or any part of the statement, is false or deceptive;
- (2) Assist, aid, abet, solicit, procure or conspire with another to prepare or make any written or oral statement that is intended to be presented to an insurer as part of, or in support of, an application for insurance, a claim for payment pursuant to a policy, or a claim for any other benefit pursuant to a policy, knowing that the statement, or any part of the statement, is false or deceptive.
- (c) Whoever violates this section is guilty of insurance fraud. Except as otherwise provided in this division, insurance fraud is a misdemeanor of the first degree. If the amount of the claim that is false or deceptive is \$1,000.00 or more, insurance fraud is a felony to be prosecuted under appropriate state law.
- (d) This section shall not be construed to abrogate, waive or modify R.C. § 2317.02(A).

**State Law reference—** R.C. § 2913.47

**678.14 Concealed handgun licenses: possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.**

*(a) Possession of a revoked or suspended concealed handgun license.*

- (1) No person, except in the performance of official duties, shall possess a concealed handgun license that was issued and that has been revoked or suspended.
- (2) Whoever violates this division (a) is guilty of possessing a revoked or suspended concealed handgun license, a misdemeanor of the third degree.

*(b) Additional restrictions.* Pursuant to R.C. § 2923.126:

- (1) A concealed handgun license that is issued under R.C. § 2923.125 shall expire five (5) years after the date of issuance. A licensee who has been issued a license under that section shall be granted a grace period of 30 days after the licensee's license expires during which the licensee's license remains valid. Except as provided in divisions (b)(2) and (b)(3) of this section, a licensee who has been issued a concealed handgun license under R.C. § 2923.125 or 2923.1213 may carry a concealed handgun anywhere in this state if the license is valid when the licensee is in actual possession of a concealed handgun. The licensee shall give notice of any change in the licensee's residence address to the sheriff who issued the license within 45 days after that change.
- (2) A valid concealed handgun license does not authorize the licensee to carry a concealed handgun in any manner prohibited under R.C. § 2923.12(B) or in any manner prohibited under R.C. § 2923.16. A valid license does not authorize the licensee to carry a concealed handgun into any of the following places:
  - A. A police station, sheriff's office, or state highway patrol station, premises controlled by the bureau of criminal identification and investigation; a state correctional institution, jail, workhouse, or other detention facility; any area of an airport passenger terminal that is beyond a passenger or property screening checkpoint or to which access is restricted through security measures by the airport authority or a public agency; or an institution that is maintained, operated, managed, and governed pursuant to R.C. § 5119.14(A) or 5123.03(A)(1);
  - B. A school safety zone if the licensee's carrying the concealed handgun is in violation of R.C. § 2923.122;

- C. A courthouse or another building or structure in which a courtroom is located if the licensee's carrying the concealed handgun is in violation of R.C. § 2923.123;
  - D. Any premises or open air arena for which a D permit has been issued under R.C. Ch. 4303, if the licensee's carrying the concealed handgun is in violation of R.C. § 2923.121;
  - E. Any premises owned or leased by any public or private college, university or other institution of higher education, unless the handgun is in a locked motor vehicle or the licensee is in the immediate process of placing the handgun in a locked motor vehicle or unless the licensee is carrying the concealed handgun pursuant to a written policy, rule, or other authorization that is adopted by the institution's board of trustees or other governing body and that authorizes specific individuals or classes of individuals to carry a concealed handgun on the premises;
  - F. Any church, synagogue, mosque or other place of worship, unless the church, synagogue, mosque or other place of worship posts or permits otherwise;
  - G. Any building that is a government facility of this state or a political subdivision of this state and that is not a building that is used primarily as a shelter, restroom, parking facility for motor vehicles, or rest facility and is not a courthouse or other building or structure in which a courtroom is located that is subject to division (b)(2)C. of this section, unless the governing body with authority over the building has enacted a statute, ordinance, or policy that permits a licensee to carry a concealed handgun into the building;
  - H. A place in which federal law prohibits the carrying of handguns.
- (3) A. Nothing in this division (b) shall negate or restrict a rule, policy or practice of a private employer that is not a private college, university, or other institution of higher education concerning or prohibiting the presence of firearms on the private employer's premises or property, including motor vehicles owned by the private employer. Nothing in this division (b) shall require a private employer of that nature to adopt a rule, policy or practice concerning or prohibiting the presence of firearms on the private employer's premises or property, including motor vehicles owned by the private employer.
- B. 1. A private employer shall be immune from liability in a civil action for any injury, death or loss to person or property that allegedly was caused by or related to a licensee bringing a handgun onto the premises or property of the private employer, including motor vehicles owned by the private employer, unless the private employer acted with malicious purpose. A private employer is immune from liability in a civil action for any injury, death or loss to person or property that allegedly was caused by or related to the private employer's decision to permit a licensee to bring, or prohibit a licensee from bringing, a handgun onto the premises or property of the private employer.
  - 2. A political subdivision shall be immune from liability in a civil action, to the extent and in the manner provided in R.C. Ch. 2744, for any injury, death or loss to person or property that allegedly was caused by or related to a licensee bringing a handgun onto any premises or property owned, leased or otherwise under the control of the political subdivision. As used in this division, "political subdivision" has the same meaning as in R.C. § 2744.01.
  - 3. An institution of higher education shall be immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to a licensee bringing a handgun onto the premises of the institution, including motor vehicles owned by the institution, unless the institution acted with malicious purpose. An institution of higher education is immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to the

institution's decision to permit a licensee or class of licensees to bring a handgun onto the premises of the institution.

4. A nonprofit corporation shall be immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to a licensee bringing a handgun onto the premises of the nonprofit corporation, including any motor vehicle owned by the nonprofit corporation, or to any event organized by the nonprofit corporation, unless the nonprofit corporation acted with malicious purpose. A nonprofit corporation is immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to the nonprofit corporation's decision to permit a licensee to bring a handgun onto the premises of the nonprofit corporation or to any event organized by the nonprofit corporation.

C. 1. a. Except as provided in division (b)(3)C.2. of this section and R.C. § 2923.1214, the owner or person in control of private land or premises, and a private person or entity leasing land or premises owned by the state, the United States, or a political subdivision of the state or the United States, may post a sign in a conspicuous location on that land or on those premises prohibiting persons from carrying firearms or concealed firearms on or onto that land or those premises. Except as otherwise provided in this division, a person who knowingly violates a posted prohibition of that nature is guilty of criminal trespass in violation of R.C. § 2911.21(A)(4) and is guilty of a misdemeanor of the fourth degree. If a person knowingly violates a posted prohibition of that nature and the posted land or premises primarily was a parking lot or other parking facility, the person is not guilty of criminal trespass under R.C. § 2911.21 or under any other criminal law of this state or criminal law, ordinance, or resolution of a political subdivision of this state, and instead is subject only to a civil cause of action for trespass based on the violation.

- b. If a person knowingly violates a posted prohibition of the nature described in this division and the posted land or premises is a child day-care center, type A family day-care home, or type B family day-care home, unless the person is a licensee who resides in a type A family day-care home or type B family day-care home, the person is guilty of aggravated trespass in violation of R.C. § 2911.211. Except as otherwise provided in this division, the offender is guilty of a misdemeanor of the first degree. If the person previously has been convicted of a violation of this division or any substantially equivalent state law or municipal ordinance, or of any offense of violence, if the weapon involved is a firearm that is either loaded or for which the offender has ammunition ready at hand, or if the weapon involved is dangerous ordnance, the offender is guilty of a felony to be prosecuted under appropriate state law.

2. A landlord may not prohibit or restrict a tenant who is a licensee and who on or after September 9, 2008 enters into a rental agreement with the landlord for the use of residential premises, and the tenant's guest while the tenant is present, from lawfully carrying or possessing a handgun on those residential premises.

3. As used in division (b)(3)C. of this section:

*Residential premises* has the same meaning as in R.C. § 5321.01, except "residential premises" does not include a dwelling unit that is owned or operated by a college or university.

*Landlord, tenant, and rental agreement* have the same meanings as in R.C. § 5321.01.

- (4) A person who holds a valid concealed handgun license issued by another state that is recognized by the attorney general pursuant to a reciprocity agreement entered into pursuant to R.C. § 109.69 or a person who holds a valid concealed handgun license under the circumstances described in



R.C. § 109.69(B) has the same right to carry a concealed handgun in this state as a person who was issued a concealed handgun license under R.C. § 2923.125 and is subject to the same restrictions that apply to a person who has been issued a license under that section that is valid at the time in question.

- (5) A. A peace officer has the same right to carry a concealed handgun in this state as a person who was issued a concealed handgun license under R.C. § 2923.125, provided that the officer when carrying a concealed handgun under authority of this division is carrying validating identification. For purposes of reciprocity with other states, a peace officer shall be considered to be a licensee in this state.
  - B. An active duty member of the armed forces of the United States who is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in R.C. § 2923.125(G)(1) has the same right to carry a concealed handgun in this state as a person who was issued a concealed handgun license under R.C. § 2923.125 and is subject to the same restrictions as specified in this division (b).
  - C. A tactical medical professional who is qualified to carry firearms while on duty under R.C. § 109.771 has the same right to carry a concealed handgun in this state as a person who was issued a concealed handgun license under R.C. § 2923.125.
  - D. A fire investigator who is qualified to carry firearms while on duty under R.C. § 109.774 has the same right to carry a concealed handgun in this state as a person who was issued a concealed handgun license under R.C. § 2923.125.
- (6) A. A qualified retired peace officer who possesses a retired peace officer identification card issued pursuant to division (b)(6)B. of this section and a valid firearms requalification certification issued pursuant to division (b)(6)C. of this section has the same right to carry a concealed handgun in this state as a person who was issued a concealed handgun license under R.C. § 2923.125 and is subject to the same restrictions that apply to a person who has been issued a license issued under that section that is valid at the time in question. For purposes of reciprocity with other states, a qualified retired peace officer who possesses a retired peace officer identification card issued pursuant to division (b)(6)B. of this section and a valid firearms requalification certification issued pursuant to division (b)(6)C. of this section shall be considered to be a licensee in this state.
- B. 1. Each public agency of this state or of a political subdivision of this state that is served by one (1) or more peace officers shall issue a retired peace officer identification card to any person who retired from service as a peace officer with that agency, if the issuance is in accordance with the agency's policies and procedures and if the person, with respect to the person's service with that agency, satisfies all of the following:
- a. The person retired in good standing from service as a peace officer with the public agency, and the retirement was not for reasons of mental instability.
  - b. Before retiring from service as a peace officer with that agency, the person was authorized to engage in or supervise the prevention, detection, investigation or prosecution of, or the incarceration of any person for, any violation of law and the person had statutory powers of arrest.
  - c. At the time of the person's retirement as a peace officer with that agency, the person was trained and qualified to carry firearms in the performance of the peace officer's duties.
  - d. Before retiring from service as a peace officer with that agency, the person was regularly employed as a peace officer for an aggregate of 15 years or more, or, in

the alternative, the person retired from service as a peace officer with that agency, after completing any applicable probationary period of that service, due to a service-connected disability, as determined by the agency.

2. A retired peace officer identification card issued to a person under division (b)(6)B.1. of this section shall identify the person by name, contain a photograph of the person, identify the public agency of this state or of the political subdivision of this state from which the person retired as a peace officer and that is issuing the identification card, and specify that the person retired in good standing from service as a peace officer with the issuing public agency and satisfies the criteria set forth in divisions (b)(6)B.1.a. to (b)(6)B.1.d. of this section. In addition to the required content specified in this division, a retired peace officer identification card issued to a person under division (b)(6)B.1. of this section may include the firearms requalification certification described in division (b)(6)C. of this section, and if the identification card includes that certification, the identification card shall serve as the firearms requalification certification for the retired peace officer. If the issuing public agency issues credentials to active law enforcement officers who serve the agency, the agency may comply with division (b)(6)B.1. of this section by issuing the same credentials to persons who retired from service as a peace officer with the agency and who satisfy the criteria set forth in divisions (b)(6)B.1.a. to (b)(6)B.1.d. of this section, provided that the credentials so issued to retired peace officers are stamped with the word "RETIRED."
  3. A public agency of this state or of a political subdivision of this state may charge persons who retired from service as a peace officer with the agency a reasonable fee for issuing to the person a retired peace officer identification card pursuant to division (b)(6)B.1. of this section.
- C. 1. If a person retired from service as a peace officer with a public agency of this state or of a political subdivision of this state and the person satisfies the criteria set forth in divisions (b)(6)B.1.a. to (b)(6)B.1.d. of this section, the public agency may provide the retired peace officer with the opportunity to attend a firearms requalification program that is approved for purposes of firearms requalification required under R.C. § 109.801. The retired peace officer may be required to pay the cost of the course.
2. If a retired peace officer who satisfies the criteria set forth in divisions (b)(6)B.1.a. to (b)(6)B.1.d. of this section attends a firearms requalification program that is approved for purposes of firearms requalification required under R.C. § 109.801, the retired peace officer's successful completion of the firearms requalification program requalifies the retired peace officer for purposes of division (b)(6) of this section for five (5) years from the date on which the program was successfully completed, and the requalification is valid during that five-year period. If a retired peace officer who satisfies the criteria set forth in divisions (b)(6)B.1.a. to (b)(6)B.1.d. of this section satisfactorily completes such a firearms requalification program, the retired peace officer shall be issued a firearms requalification certification that identifies the retired peace officer by name, identifies the entity that taught the program, specifies that the retired peace officer successfully completed the program, specifies the date on which the course was successfully completed, and specifies that the requalification is valid for five (5) years from that date of successful completion. The firearms requalification certification for a retired peace officer may be included in the retired peace officer identification card issued to the retired peace officer under division (b)(6)B. of this section.
  3. A retired peace officer who attends a firearms requalification program that is approved for purposes of firearms requalification required under R.C. § 109.801 may be required to pay the cost of the program.

- (7) For the purpose of division (b) of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

*Governing body* has the same meaning as in R.C. § 154.01.

*Government facility of this state or a political subdivision of this state* means any of the following:

- A. A building or part of a building that is owned or leased by the government of this state or a political subdivision of this state and where employees of the government of this state or the political subdivision regularly are present for the purpose of performing their official duties as employees of the state or political subdivision;
- B. The office of a Deputy Registrar serving pursuant to R.C. Ch. 4503 that is used to perform deputy registrar functions.

*Nonprofit corporation* means any private organization that is exempt from federal income taxation pursuant to subsection 501(a) and described in subsection 501(c) of the Internal Revenue Code.

*Qualified retired peace officer* means a person who satisfies all of the following:

- A. The person satisfies the criteria set forth in divisions (b)(6)B.1.a. to (b)(6)B.1.d. of this section.
- B. The person is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- C. The person is not prohibited by federal law from receiving firearms.

*Retired peace officer identification card* means an identification card that is issued pursuant to division (b)(6)B. of this section to a person who is a retired peace officer.

*Tactical medical professional* has the same meaning as in R.C. § 109.71.

*Validating identification* means photographic identification issued by the agency for which an individual serves as a peace officer that identifies the individual as a peace officer of the agency.

*Fire investigator* has the same meaning as R.C. § 109.71.

- (c) *Posting of signs prohibiting possession.* Each person, board, or entity that owns or controls any place or premises identified in R.C. § 2923.126(B) as a place into which a valid license does not authorize the licensee to carry a concealed handgun, or a designee of such a person, board, or entity, shall post in the following one (1) or more conspicuous locations in the premises a sign that contains a statement in substantially the following form: "Unless otherwise authorized by law, pursuant to the Ohio Revised Code, no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance onto these premises."

**State Law reference—** R.C. §§ 2923.1211(B), (C), 2923.1212, 2923.126

#### **698.05 Multiple sentences.**

- (a) Except as provided in division (b) of this section, R.C. § 2929.14(C) or 2971.03(D) or (E), a prison term, jail term or sentence of imprisonment shall be served concurrently with any other prison term, jail term or sentence of imprisonment imposed by a court of this municipality, the state, another state or the United States. Except as provided in division (b)(2) of this section, a jail term or sentence of imprisonment for misdemeanor shall be served concurrently with a prison term or sentence of imprisonment for felony served in a state or federal correctional institution.
- (b) (1) A jail term or sentence of imprisonment for a misdemeanor shall be served consecutively to any other prison term, jail term or sentence of imprisonment when the trial court specifies that it is to be served consecutively or when it is imposed for a misdemeanor violation of R.C. § 2907.322,

2921.34 or 2923.131. When consecutive sentences are imposed for misdemeanors under this division, the term to be served is the aggregate of the consecutive terms imposed, except that the aggregate term to be served shall not exceed 18 months.

- (2) A jail term or sentence of imprisonment imposed for a misdemeanor violation of R.C. § 4510.14, 4510.16, 4510.21 or 4511.19, or a substantially equivalent municipal ordinance, shall be served consecutively to a prison term that is imposed for a felony violation of R.C. § 2903.06, ~~2903.07~~, 2903.08 or 4511.19 or a felony violation of R.C. § 2903.04 involving the operation of a ~~motor~~ vehicle by the offender and that is served in a state correctional institution when the trial court specifies that it is to be served consecutively. When consecutive jail terms or sentences of imprisonment and prison terms are imposed for one (1) or more misdemeanors and one (1) or more felonies under this division, the term to be served is the aggregate of the consecutive terms imposed, and the offender shall serve all terms imposed for a felony before serving any term imposed for a misdemeanor.

**State Law reference—** R.C. § 2929.41