

OAG 2009-042

Attorney General

2-310

OPINION NO. 2009-043

Syllabus:

2009-043

The sheriff of the county that issued a person a license to carry a concealed handgun under R.C. 2923.125 or R.C. 2923.1213 is responsible for entering the person's new residence address into the Law Enforcement Automated Data System when the person notifies the sheriff that he has changed his residence.

To: Jeff Adkins, Gallia County Prosecuting Attorney, Gallipolis, Ohio
By: Richard Cordray, Ohio Attorney General, October 27, 2009

You have requested an opinion concerning the entry of a new residence address into the Law Enforcement Automated Data System (LEADS) when a person licensed to carry a concealed handgun under R.C. 2923.125 or R.C. 2923.1213 changes his residence from one Ohio county to another. Specifically, you ask whether the sheriff of the county that issued the person the license or the sheriff of the county in which the person's new residence is situated is responsible for entering the person's new residence address into LEADS.

R.C. 2923.126(A) requires a person licensed to carry a concealed handgun under R.C. 2923.125 or R.C. 2923.1213 to "give notice of any change in the licensee's residence address to the sheriff who issued the license within forty-five days after that change." Nothing in R.C. 2923.126 or elsewhere in the Revised Code mandates or indicates what a county sheriff is to do once he is given notice of an address change pursuant to R.C. 2923.126(A). It thus may appear that the sheriff of the county that issued a person a license to carry a concealed handgun is not obligated to enter the person's new residence address into LEADS when the person notifies the sheriff that he has changed his residence.

It is illogical, however, for the sheriff of the county that issued a person a license to carry a concealed handgun to accept a notice that the person's residence address has changed and then not notate the person's new residence address in the records associated with the person's license to carry a concealed handgun. If the sheriff does not enter the person's new residence address in such records, there is no point in having the sheriff receive notice that the person's residence address has changed since nothing would be accomplished by this act.

Because the General Assembly does not insert meaningless language into statutes, *see State ex rel. Cleveland Elec. Illum. Co. v. City of Euclid*, 169 Ohio St. 476, 479, 159 N.E.2d 756 (1959), or require public officials to do useless acts, 2004 Op. Att'y Gen. No. 2004-046 at 2-409, we must reject the proposition that the sheriff of the county that issued a person a license to carry a concealed handgun is not responsible for entering the person's new residence address into LEADS when the person notifies the sheriff that he has changed his residence. Instead, it is more reasonable to presume that the General Assembly intended the sheriff of the county that issued a person a license to carry a concealed handgun to accept notification of a change in the person's residence for the purpose of notating this change in the records associated with the person's license.

It is imperative that the records pertaining to a license to carry a concealed

handgun be kept current and accurate for a variety of reasons. For example, if a person's license to carry a concealed handgun is suspended or subject to revocation, the county sheriff who issued the license must mail notification of the suspension or proposed revocation to the person's last known residence address, R.C. 2923.128, and make a notation of a suspension or revocation available through LEADS, *see* R.C. 2923.125(H). If the sheriff who issued the license does not notate a change in the person's residence in the records associated with the person's license, the sheriff may not mail notification of a suspension or proposed revocation of the person's license to the person's last known residence address.

Moreover, the sheriff of the county that issued a person a license to carry a concealed handgun, rather than the sheriff of the county in which the person's new residence is situated, is the sheriff that is notified about the person's new residence. R.C. 2923.126(A). Insofar as the sheriff of the county in which the person's new residence is situated does not receive notice that the person has relocated his residence into his county, it does not follow that such a sheriff should be responsible for entering the person's new residence address into LEADS. Accordingly, the sheriff of the county that issued a person a license to carry a concealed handgun is responsible for entering the person's new residence address into LEADS when the person notifies the sheriff that he has changed his residence.

In conclusion, it is my opinion, and you are hereby advised that the sheriff of the county that issued a person a license to carry a concealed handgun under R.C. 2923.125 or R.C. 2923.1213 is responsible for entering the person's new residence address into the Law Enforcement Automated Data System when the person notifies the sheriff that he has changed his residence.