

Proposed Rule
LSA Document #06-417

DIGEST

Adds [25 IAC 8](#) to establish rules regulating weapons and devices at the buildings that the department maintains, equips, or operates and that are open to the public. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[25 IAC 8](#)

SECTION 1. [25 IAC 8](#) IS ADDED TO READ AS FOLLOWS:

ARTICLE 8. REGULATION OF DEADLY WEAPONS AND DEVICES

Rule 1. Policy Statement

[25 IAC 8-1-1](#) Policy statement

Authority: [IC 4-13-1-7](#); [IC 4-20.5-6-7](#); [IC 4-20.5-6-8](#)

Affected: [IC 4-13-1-7](#); [IC 4-20.5-6-7](#); [IC 4-20.5-6-8](#)

Sec. 1. (a) It is the policy of the state to protect the public peace, health, and safety and to preserve the lives and property of the people working or having business in the Indiana government center campus and to assure the continuity of state government operations. The department shall act on behalf of the state to provide enhanced protection and security in and around the Indiana government center campus.

(b) Unless otherwise set forth in this rule or other applicable statute, this rule applies to all visitors, invitees, state employees, contractors, and agents.

(c) This rule is in conjunction with [240 IAC 9](#), a rule of the state police department.

(Indiana Department of Administration; [25 IAC 8-1-1](#))

Rule 2. Definitions

[25 IAC 8-2-1](#) Definitions

Authority: [IC 4-13-1-7](#); [IC 4-20.5-6-7](#); [IC 4-20.5-6-8](#)

Affected: [IC 35-41-1-26.5](#); [IC 35-41-1-29.4](#); [IC 35-47-1-5](#); [IC 35-47-8](#); [IC 35-47.5-2-4](#)

Sec. 1. The following definitions apply throughout this article:

(1) "Deadly weapon" means any of the following:

(A) A loaded or unloaded firearm (as defined in [IC 35-47-1-5](#)).

(B) A destructive device, weapon, device, taser (as defined in [IC 35-47-8-3](#)), electronic stun weapon (as defined in [IC 35-47-8-1](#)), or stun gun (as defined in [IC 35-47-8-2](#)), equipment, including knives, chemical substance, or other material, that, in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury.

(C) A biological disease, virus, or organism that is capable of causing serious bodily injury.

(2) "Department" means the Indiana department of administration.

(3) "Destructive device" has the meaning set forth in [IC 35-47.5-2-4](#).

(4) "Indiana government center campus" means the following:

- (A) The state capitol building.
- (B) The Indiana government center-north.
- (C) The Indiana government center-south.
- (D) The state library.
- (E) The Washington Street garage.
- (F) The Senate Avenue garage.
- (G) The land adjacent to these buildings that is owned and controlled by the state.
- (5) "Person" means visitors, invitees, state employees, contractors, and agents.
- (6) "Possession" means on or about a person's body or clothing, or in any purse, backpack, cooler, sack, carrier, or other container carried by the person or under that person's direct and immediate control.
- (7) "Terrorism" means the unlawful use of force or violence or the unlawful threat of force or violence to intimidate or coerce a government or all or part of the civilian population (as defined in [IC 35-41-1-26.5](#)).
- (8) "Weapon of mass destruction" has the meaning set forth in [IC 35-41-1-29.4](#).

(Indiana Department of Administration; [25 IAC 8-2-1](#))

Rule 3. Items Prohibited at the Indiana Government Center Campus

[25 IAC 8-3-1](#) Weapons and devices prohibited

Authority: [IC 4-13-1-7](#); [IC 4-20.5-6-7](#); [IC 4-20.5-6-8](#)

Affected: [IC 4-13-1-7](#); [IC 4-20.5-6-7](#); [IC 4-20.5-6-8](#)

Sec. 1. No person in possession of a deadly weapon, destructive device, weapon of mass destruction, or any other device commonly used in furtherance of terrorism, or is readily capable of causing serious bodily injury (as defined by [IC 35-41-1-25](#)) as determined by an authorized law enforcement officer shall be permitted into or permitted to remain in the Indiana government center campus.

(Indiana Department of Administration; [25 IAC 8-3-1](#))

[25 IAC 8-3-2](#) Controlled access

Authority: [IC 4-13-1-7](#); [IC 4-20.5-6-7](#); [IC 4-20.5-6-8](#)

Affected: [IC 4-13-1-7](#); [IC 4-20.5-6-7](#); [IC 4-20.5-6-8](#)

Sec. 2. There shall be established procedures and public entry screening points for identifying and prohibiting deadly weapons, destructive devices, and weapons of mass destruction from being brought, or attempting to be brought, into the Indiana government center campus.

(Indiana Department of Administration; [25 IAC 8-3-2](#))

[25 IAC 8-3-3](#) Authorized persons

Authority: [IC 4-13-1-7](#); [IC 4-20.5-6-7](#); [IC 4-20.5-6-8](#)

Affected: [IC 35-47-2-2](#); [IC 35-47-2-4](#)

Sec. 3. (a) This rule does not apply to the following persons, otherwise authorized by law to carry firearms, who enter the Indiana government center campus in an official capacity and not as private citizens:

- (1) A federal, state, or local law enforcement officer or a person who has been employed or authorized by the state to provide security protection and services.
- (2) Members of the Indiana general assembly who hold an unlimited license to carry a handgun (see [IC 35-47-2-4](#)).
- (3) Members of the Indiana judiciary (see [IC 35-47-2-2\(4\)](#)).

(Indiana Department of Administration; [25 IAC 8-3-3](#))

[25 IAC 8-3-4](#) Enforcement

Authority: [IC 4-13-1-7](#); [IC 4-20.5-6-7](#); [IC 4-20.5-6-8](#)

Affected: [IC 10-11-2-28](#)

Sec. 4. The Indiana state police, pursuant to [IC 10-11-2-28](#) and [240 IAC 9](#), shall enforce this rule.

(Indiana Department of Administration; [25 IAC 8-3-4](#))

[Notice of Public Hearing](#)

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