

Proposed Rule
LSA Document #06-418

DIGEST

Adds [240 IAC 9](#) to establish and enforce rules regulating weapons and devices at the Indiana Government Center Campus. Effective 30 days after filing with the Publisher.

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

[240 IAC 9](#)

SECTION 1. [240 IAC 9](#) IS ADDED TO READ AS FOLLOWS:

ARTICLE 9. REGULATION OF DEADLY WEAPONS AND DEVICES

Rule 1. Policy Statement

[240 IAC 9-1-1](#) Policy statement

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

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

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 maintain security, enforce rules relating to security, and preserve the peace 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 [25 IAC 8](#), a rule of the Indiana department of administration.

(State Police Department; [240 IAC 9-1-1](#))

Rule 2. Definitions

[240 IAC 9-2-1](#) Definitions

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

Affected: [IC 10-11-2-28](#); [IC 35-41-1-26.5](#); [IC 35-41-1-29](#); [IC 35-41-1-25](#); [IC 35-47-1-5](#); [IC 35-47-8-1](#); [IC 35-47-8-2](#); [IC 35-47-8-3](#); [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 state police department.

(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](#).

(State Police Department; [240 IAC 9-2-1](#))

Rule 3. Items Prohibited at the Indiana Government Center Campus

[240 IAC 9-3-1](#) Weapons and devices prohibited

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

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

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.

(State Police Department; [240 IAC 9-3-1](#))

[240 IAC 9-3-2](#) Controlled access

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

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

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.

(State Police Department; [240 IAC 9-3-2](#))

[240 IAC 9-3-3](#) Authorized persons

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

Affected: [IC 10-11-2-28](#); [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\(4\)](#)).

(State Police Department; [240 IAC 9-3-3](#))

[240 IAC 9-3-4](#) Enforcement

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

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

Sec. 4. The department shall, pursuant to [IC 10-11-2-28](#) and this rule, enforce and implement enhanced security measures to ensure improved safety and security within the Indiana government center campus under the provisions of this rule and [25 IAC 8](#).

(State Police Department; [240 IAC 9-3-4](#))

[Notice of Public Hearing](#)

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