

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; filed Feb 20, 2007, 3:16 p.m.: 20070321-IR-025060417FRA; readopted filed Oct 18, 2013, 1:38 p.m.: 20131113-IR-025130403RFA*)

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 35-47-1-5; 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 [*IC 35-41-1-26.5 was repealed by P.L.114-2012, SECTION 132, effective July 1, 2012.*]).

(8) "Weapon of mass destruction" has the meaning set forth in IC 35-41-1-29.4 [*IC 35-41-1-29.4 was repealed by P.L.114-2012, SECTION 136, effective July 1, 2012.*].

(*Indiana Department of Administration; 25 IAC 8-2-1; filed Feb 20, 2007, 3:16 p.m.: 20070321-IR-025060417FRA; readopted*)

filed Oct 18, 2013, 1:38 p.m.: 20131113-IR-025130403RFA)

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 [IC 35-41-1-25 was repealed by P.L.114-2012, SECTION 129, effective July 1, 2012.]) 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; filed Feb 20, 2007, 3:16 p.m.: 20070321-IR-025060417FRA; readopted filed Oct 18, 2013, 1:38 p.m.: 20131113-IR-025130403RFA*)

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; filed Feb 20, 2007, 3:16 p.m.: 20070321-IR-025060417FRA; readopted filed Oct 18, 2013, 1:38 p.m.: 20131113-IR-025130403RFA*)

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. 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; filed Feb 20, 2007, 3:16 p.m.: 20070321-IR-025060417FRA; readopted filed Oct 18, 2013, 1:38 p.m.: 20131113-IR-025130403RFA*)

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; filed Feb 20, 2007, 3:16 p.m.: 20070321-IR-025060417FRA; readopted filed Oct 18, 2013, 1:38 p.m.: 20131113-IR-025130403RFA*)

*