

# 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; filed Feb 20, 2007, 3:17 p.m.: 20070321-IR-240060418FRA; readopted filed Dec 2, 2013, 10:29 a.m.: 20140101-IR-240130458RFA*)

## Rule 2. Definitions

### 240 IAC 9-2-1 Definitions

Authority: IC 10-11-2-28

Affected: IC 35-47; 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.

(D) The term does not include:

(i) a taser (as defined in IC 35-47-8-3);

(ii) an electronic stun weapon (as defined in IC 35-47-8-1);

(iii) a chemical designed to temporarily incapacitate a person; or

(iv) another device designed to temporarily incapacitate a person;

if the device described in items (i) through (iv) is used by a law enforcement officer who has been trained in the use of the device and who uses the device in accordance with the law enforcement officer's training and while lawfully engaged in the execution of official duties.

(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:

- (A) visitors;
- (B) invitees;
- (C) state employees;
- (D) contractors; and
- (E) agents.

(6) "Possession" means on or about a person's body or clothing, or in any:

- (A) purse;
- (B) backpack;
- (C) cooler;
- (D) sack;
- (E) carrier; or
- (F) 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.].

(State Police Department; 240 IAC 9-2-1; filed Feb 20, 2007, 3:17 p.m.: 20070321-IR-240060418FRA; filed Mar 24, 2009, 11:39 a.m.: 20090422-IR-240080321FRA; readopted filed Dec 2, 2015, 9:19 a.m.: 20151230-IR-240150337RFA)

### **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 [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. (State Police Department; 240 IAC 9-3-1; filed Feb 20, 2007, 3:17 p.m.: 20070321-IR-240060418FRA; readopted filed Dec 2, 2013, 10:29 a.m.: 20140101-IR-240130458RFA)

#### **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; filed Feb 20, 2007, 3:17 p.m.: 20070321-IR-240060418FRA; readopted filed Dec 2, 2013, 10:29 a.m.: 20140101-IR-240130458RFA)

#### **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. 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:

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(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; filed Feb 20, 2007, 3:17 p.m.: 20070321-IR-240060418FRA; readopted filed Dec 2, 2013, 10:29 a.m.: 20140101-IR-240130458RFA)*

**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; filed Feb 20, 2007, 3:17 p.m.: 20070321-IR-240060418FRA; readopted filed Dec 2, 2013, 10:29 a.m.: 20140101-IR-240130458RFA)*

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