



## Ohio Administrative Code

### Rule 5123-100-02 Prohibition of weapons and other prohibited items at developmental centers and department offices.

Effective: November 19, 2018

---

#### (A) Purpose

This rule prohibits storing, possessing, carrying, or using a deadly weapon or dangerous ordnance, drug of abuse, or intoxicating liquor in any building or on the grounds of a developmental center or other state-owned or state-leased property under the managing responsibility of the Ohio department of developmental disabilities ("department") by employees, visitors, or other individuals, or by employees in the performance of their duties whether on or off state-owned or state-leased property.

#### (B) Definitions

For the purposes of this rule, the following definitions shall apply:

(1) "Deadly weapon or dangerous ordnance" means any item as defined in section 2923.11 of the Revised Code, or any part of or ammunition for use in such deadly weapon or dangerous ordnance and includes, but is not limited to, firearms (including a pistol, revolver, rifle, or shotgun) and any other weapon capable of discharging a projectile capable of wounding, fatally or otherwise, the person of another.

(2) "Drug of abuse" means any item defined in section 3719.011 of the Revised Code.

(3) "Intoxicating liquor" means any beverage defined in section 4301.01 of the Revised Code.

#### (C) Policy

(1) Deadly weapons or dangerous ordnance, including firearms, drugs of abuse, or intoxicating liquor, shall not be stored, possessed, carried, used, or discharged by any employee of the department, visitor, or other individual in any building or on the grounds of a developmental center or other state-owned or state-leased property or while performing a duty for the department. This



prohibition applies to members of developmental center security/police departments, including special police officers commissioned in accordance with section 5123.13 of the Revised Code and those employees who have completed basic police training and/or special police training courses approved by the Ohio peace officer's training council, and individuals who have been issued a license or temporary emergency license to carry a concealed weapon under section 2923.125 or section 2923.1213 of the Revised Code.

(2) This rule does not apply to sworn officers of the Ohio state highway patrol, local law enforcement authorities, or other persons duly authorized to carry firearms in the performance of their duties on state-owned or state-leased property under the managing responsibility of the department.

(3) The director of the department or the managing officer of a developmental center may permit storage, possession, conveyance, and use of the prohibited items specified in this rule, in writing, in accordance with section 2921.36 of the Revised Code.

(4) An employee of the department who violates this rule shall have committed an act which is cause for discipline up to and including removal and may be subject to arrest and prosecution under section 2921.36 of the Revised Code. Any visitor or other individual who violates this rule may be subject to arrest and prosecution under section 2921.36 of the Revised Code.