Amendment No. AM_136_2084-3

S. B. No. 321
As Introduced

_____ moved to amend as follows:

In line 7, delete ""Deadly weapon" and "firearm" have" and insert ""Firearm" has"; delete "meanings" and insert "meaning"

In line 11, delete "The" and insert "Subject to divisions (C), (D), and (E) of this section, the"

In line 12, delete "premises" and insert "behalf"

In line 14, delete "deadly weapon,"

In line 15, delete "including a"; delete ","

After line 19, insert:

"(C) A special police officer shall not possess, carry, or discharge a firearm while on duty on the behalf of an institution under the jurisdiction of the department unless the special police officer does all of the following:

(1) Obtains all necessary firearm certifications in accordance with policies adopted by the department;

(2) Satisfies all training requirements adopted by the

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department;

(3) Satisfies any other firearm policies adopted by the department.

(D) A special police officer shall not possess, carry, or discharge a firearm or possess, carry, or use ammunition while on duty on the behalf of an institution under the jurisdiction of the department unless the firearm or ammunition has been issued to the special police officer by the department or otherwise approved by the department.

(E) A special police officer who is under investigation for alleged violations of standards of conduct, including work rules, policies, or having pending criminal charges, is prohibited from carrying or possessing a firearm under division (B) of this section until a pending investigation is resolved or authorization is granted by the director of behavioral health.

(F) Notwithstanding section 2743.02 of the Revised Code, the state does not waive its immunity from liability, nor does it consent to be sued for damage, injury, or death caused by or related to the possession or use of a firearm by a special police officer."

In line 21, delete ""Deadly weapon" and "firearm" have" and insert ""Firearm" has"; delete "meanings" and insert "meaning"

In line 25, delete "The" and insert "Subject to divisions (C), (D), and (E) of this section, the"

In line 26, delete "premises" and insert "behalf"

In line 28, delete "deadly"

In line 29, delete "weapon, including a"; delete the second ","

After line 34, insert:

"(C) A special police officer shall not possess, carry, or discharge a firearm while on duty on the behalf of an institution under the jurisdiction of the department unless the special police officer does all of the following:

(1) Obtains all necessary firearm certifications in accordance with policies adopted by the department;

(2) Satisfies all training requirements adopted by the department;

(3) Satisfies any other firearm policies adopted by the department.

(D) A special police officer shall not possess, carry, or discharge a firearm or possess, carry, or use ammunition while on duty on the behalf of an institution under the jurisdiction of the department unless the firearm or ammunition has been issued to the special police officer by the department or otherwise approved by the department.

(E) A special police officer who is under investigation for alleged violations of standards of conduct, including work rules, policies, or having pending criminal charges, is prohibited from carrying or possessing a firearm under division (B) of this section until a pending investigation is resolved or authorization is granted by the director of developmental disabilities.

(F) Notwithstanding section 2743.02 of the Revised Code, the state does not waive its immunity from liability, nor does it consent to be sued for damage, injury, or death caused by or related to the possession or use of a firearm by a special

police officer."

The motion was _____ agreed to.

SYNOPSIS

Special police officers

R.C. 5119.081 and 5123.131

Removes references to the authority of special police officers to possess or carry deadly weapons other than firearms.

Removes a reference to a special police officer being on duty on the premises of a facility and instead refers to the special police officer being on duty on the behalf of a facility.

Specifies that a special police officer may only possess, carry, or discharge a firearm if the special police officer has (1) obtained all necessary firearm certifications in accordance with policies adopted by the Department of Developmental Disabilities (DODD) or Department of Behavioral Health (DBH), (2) satisfied all training requirements established by DODD or DBH, and (3) satisfied any other firearm policies adopted by DODD or DBH.

Specifies that a special police officer may not possess, carry, or discharge a firearm or possess, carry, or use ammunition while on duty unless the firearm or ammunition has been issued to the special police officer by DODD or DBH or otherwise approved by either department.

Prohibits a special police officer who is under investigation for alleged violations of standards of conduct from carrying or possessing a firearm until a pending investigation is resolved or authorization is granted by the appropriate director.

Specifies that the state does not waive its sovereign immunity regarding the possession or use of a firearm by a special police officer.