

**As Reported by the Senate Armed Services, Veterans Affairs and Public
Safety Committee**

136th General Assembly

**Regular Session
2025-2026**

Sub. S. B. No. 321

Senator Schaffer

Cosponsors: Senators Patton, Johnson

To enact sections 5119.081 and 5123.131 of the 1
Revised Code regarding the carrying of firearms 2
by certain special police officers. 3

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 5119.081 and 5123.131 of the 4
Revised Code be enacted to read as follows: 5

Sec. 5119.081. (A) As used in this section: 6

(1) "Firearm" has the same meaning as in section 2923.11 7
of the Revised Code. 8

(2) "Special police officer" means a special police 9
officer designated under section 5119.08 of the Revised Code. 10

(B) Subject to divisions (C), (D), and (E) of this 11
section, the director of behavioral health shall not prohibit a 12
special police officer, while on duty on the behalf of an 13
institution under the jurisdiction of the department of 14
behavioral health, from carrying or possessing a firearm in any 15
of the following circumstances: 16

(1) When escorting a patient outside of the institution; 17

<u>(2) When operating one or more of the institution's metal</u>	18
<u>detectors;</u>	19
<u>(3) When patrolling the institution's grounds.</u>	20
<u>(C) A special police officer shall not possess, carry, or</u>	21
<u>discharge a firearm while on duty on the behalf of an</u>	22
<u>institution under the jurisdiction of the department unless the</u>	23
<u>special police officer does all of the following:</u>	24
<u>(1) Obtains all necessary firearm certifications in</u>	25
<u>accordance with policies adopted by the department;</u>	26
<u>(2) Satisfies all training requirements adopted by the</u>	27
<u>department;</u>	28
<u>(3) Satisfies any other firearm policies adopted by the</u>	29
<u>department.</u>	30
<u>(D) A special police officer shall not possess, carry, or</u>	31
<u>discharge a firearm or possess, carry, or use ammunition while</u>	32
<u>on duty on the behalf of an institution under the jurisdiction</u>	33
<u>of the department unless the firearm or ammunition has been</u>	34
<u>issued to the special police officer by the department or</u>	35
<u>otherwise approved by the department.</u>	36
<u>(E) A special police officer who is under investigation</u>	37
<u>for alleged violations of standards of conduct, including work</u>	38
<u>rules, policies, or having pending criminal charges, is</u>	39
<u>prohibited from carrying or possessing a firearm under division</u>	40
<u>(B) of this section until a pending investigation is resolved or</u>	41
<u>authorization is granted by the director of behavioral health.</u>	42
<u>(F) Notwithstanding section 2743.02 of the Revised Code,</u>	43
<u>the state does not waive its immunity from liability, nor does</u>	44
<u>it consent to be sued for damage, injury, or death caused by or</u>	45

related to the possession or use of a firearm by a special 46
police officer. 47

Sec. 5123.131. (A) As used in this section: 48

(1) "Firearm" has the same meaning as in section 2923.11 49
of the Revised Code. 50

(2) "Special police officer" means a special police 51
officer designated under section 5123.13 of the Revised Code. 52

(B) Subject to divisions (C), (D), and (E) of this 53
section, the director of developmental disabilities shall not 54
prohibit a special police officer, while on duty on the behalf 55
of an institution under the jurisdiction of the department of 56
developmental disabilities, from carrying or possessing a 57
firearm in any of the following circumstances: 58

(1) When escorting a resident outside of the institution; 59

(2) When operating one or more of the institution's metal 60
detectors; 61

(3) When patrolling the institution's grounds. 62

(C) A special police officer shall not possess, carry, or 63
discharge a firearm while on duty on the behalf of an 64
institution under the jurisdiction of the department unless the 65
special police officer does all of the following: 66

(1) Obtains all necessary firearm certifications in 67
accordance with policies adopted by the department; 68

(2) Satisfies all training requirements adopted by the 69
department; 70

(3) Satisfies any other firearm policies adopted by the 71
department. 72

(D) A special police officer shall not possess, carry, or 73
discharge a firearm or possess, carry, or use ammunition while 74
on duty on the behalf of an institution under the jurisdiction 75
of the department unless the firearm or ammunition has been 76
issued to the special police officer by the department or 77
otherwise approved by the department. 78

(E) A special police officer who is under investigation 79
for alleged violations of standards of conduct, including work 80
rules, policies, or having pending criminal charges, is 81
prohibited from carrying or possessing a firearm under division 82
(B) of this section until a pending investigation is resolved or 83
authorization is granted by the director of developmental 84
disabilities. 85

(F) Notwithstanding section 2743.02 of the Revised Code, 86
the state does not waive its immunity from liability, nor does 87
it consent to be sued for damage, injury, or death caused by or 88
related to the possession or use of a firearm by a special 89
police officer. 90