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S.B. 321
136th General Assembly

Bill Analysis

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Version: As Reported by Senate Armed Services, Veteran Affairs, and Public Safety

Primary Sponsor: Sen. Schaffer

Jason Hoskins, Attorney

SUMMARY

- Generally prohibits the Director of Behavioral Health and Director of Developmental Disabilities from prohibiting a special police officer from carrying or possessing a firearm when on duty on behalf of an institution under the jurisdiction of either department.
- Prohibits a special police officer from possessing, carrying, or discharging a firearm while on duty on behalf of an institution unless the officer satisfies requirements established by the Department of Behavioral Health and Department of Developmental Disabilities.
- Prohibits a special police officer from possessing or carrying a firearm or ammunition while on duty on behalf of an institution unless the firearm or ammunition has been provided or approved by the Department.
- Prohibits a special police officer who is under investigation for alleged violations of standards of conduct from possessing or carrying a firearm until the pending investigation is resolved or specific authorization is granted by the Director.
- Specifies that the state does not waive immunity for liability related to the possession or use of a firearm by a special police officer.

DETAILED ANALYSIS

Carrying firearm or deadly weapon by special police officer

The bill generally prohibits both the Director of Behavioral Health and the Director of Developmental Disabilities from prohibiting a special police officer from carrying or possessing a firearm while the officer is on duty on the behalf of an institution under the jurisdiction of either the Department of Behavioral Health or the Department of Developmental Disabilities. The bill applies when a special police officer is on duty on the behalf of the institution and is (1) escorting

a patient or resident outside of the institution, (2) operating one or more of the institution's metal detectors, or (3) patrolling the institution's grounds.[1]

A special police officer is prohibited from possessing, carrying, or discharging a firearm while on duty on the behalf of an institution described above unless the officer has (1) obtained all necessary firearm certifications in accordance with policies adopted by the Department with jurisdiction over the institution, (2) satisfied all training requirements adopted by the Department, and (3) satisfied any other firearm policies adopted by the Department.[2] Moreover, a special police officer may not possess, carry, or discharge a firearm or possess, carry, or use ammunition while on duty on the behalf of an institution unless the Department has issued or otherwise approved the firearm or ammunition.[3]

The bill further prohibits a special police officer who is under investigation for alleged violations of standards of conduct, including work rules, policies, or pending criminal charges, from carrying or possessing a firearm while on duty on the behalf of the institution until any pending investigation is resolved or specific authorization is granted by the Director of Behavioral Health or Director of Developmental Disabilities.[4]

The bill additionally specifies that the state does not waive its immunity from liability, nor 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.[5]

HISTORY

Action	Date
Introduced	11-10-25
Reported, S. Armed Services, Veterans Affairs, and Public Safety	03-26-25

ANSB0321RS-136/ks

[1] R.C. 5119.081(B) and 5123.131(B).

[2] R.C. 5119.081(C) and 5123.131(C).

[3] R.C. 5119.081(D) and 5123.131(D).

[4] R.C. 5119.081(E) and 5123.131(E).

[5] R.C. 5119.081(F) and 5123.131(F).