

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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**HOUSE BILL 1453
Second Edition Engrossed 6/29/04
Senate Judiciary II Committee Substitute Adopted 7/7/04**

Short Title: Discharging Firearm on School Property.

(Public)

Sponsors:

Referred to:

May 17, 2004

A BILL TO BE ENTITLED

AN ACT TO MAKE IT A CLASS F FELONY TO DISCHARGE A FIREARM ON EDUCATIONAL PROPERTY, AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-269.2(b) reads as rewritten:

"(b) It shall be a Class I felony for any person to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind on educational property or to a curricular or extracurricular activity sponsored by a school. Unless the conduct is covered under some other provision of law providing greater punishment, any person who willfully discharges a firearm of any kind on educational property is guilty of a Class F felony. However, this subsection does not apply to a BB gun, stun gun, air rifle, or air pistol."

SECTION 2. G.S. 14-269.2(h) reads as rewritten:

"(h) No person shall be guilty of a criminal violation of this section with regard to the possession or carrying of a firearm so long as both of the following apply:

- (1) The person comes into possession of a weapon by taking or receiving the weapon from another person or by finding the weapon.
- (2) The person delivers the weapon, directly or indirectly, as soon as practical to law enforcement authorities."

SECTION 3. G.S. 14-269.2(g)(4) reads as rewritten:

"(g) This section shall not apply to:

...

- (4) Weapons used for hunting purposes on ~~the Howell Woods Nature Center property in Johnston County owned by Johnston Community College~~ educational property when used with the written permission of

1 ~~Johnston Community College.~~ the governing body of the school that
2 controls the educational property."

3 **SECTION 4.** This act becomes effective December 1, 2004, and applies to
4 offenses committed on or after that date.