

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

H

4

**HOUSE BILL 1453**  
**Second Edition Engrossed 6/29/04**  
**Senate Judiciary II Committee Substitute Adopted 7/7/04**  
**Fourth Edition Engrossed 7/9/04**

Short Title: Discharging Firearm on School Property.

(Public)

---

Sponsors:

---

Referred to:

---

May 17, 2004

A BILL TO BE ENTITLED

1 AN ACT TO MAKE IT A CLASS F FELONY TO DISCHARGE A FIREARM ON  
2 EDUCATIONAL PROPERTY, AS RECOMMENDED BY THE JOINT  
3 LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE  
4 OVERSIGHT COMMITTEE.  
5

6 The General Assembly of North Carolina enacts:

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

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

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

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

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

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

23 "(g) This section shall not apply to:

24 . . .

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

1                   Community ~~College~~ College or for hunting purposes on other  
2                   educational property when used with the written permission of the  
3                   governing body of the school that controls the educational property."

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