

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 47

Committee Substitute Favorable 5/14/91

Senate Education Committee Substitute Adopted 7/1/92

Corrected Copy 7/2/92

Senate Judiciary II Committee Substitute Adopted 7/23/92

Short Title: Make Schools Safer.

(Public)

Sponsors:

Referred to:

February 11, 1991

A BILL TO BE ENTITLED

AN ACT TO MAKE IT UNLAWFUL FOR A PARENT TO ALLOW A MINOR CHILD TO POSSESS OR CARRY A WEAPON ON SCHOOL PROPERTY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-269.2 reads as rewritten:

"§ 14-269.2. Weapons on campus or other educational property.

(a) It shall be unlawful for any person to possess, or carry, whether openly or concealed, any gun, rifle, pistol, dynamite cartridge, bomb, grenade, mine, powerful explosive as defined in G.S. 14-284.1, bowie knife, dirk, dagger, slungshot, leaded cane, switch-blade knife, blackjack, metallic knuckles or any other weapon of like kind, not used solely for instructional or school sanctioned ceremonial purposes, in any public or private school building or bus, on any public or private school campus, grounds, recreation area, athletic field, or other property owned, used or operated by any board of education, school, college, or university board of trustees or directors for the administration of any public or private educational institution. For the purpose of this section a self-opening or switch-blade knife is defined as a knife containing a blade or blades which open automatically by the release of a spring or a similar contrivance, and the above phrase 'weapon of like kind' includes razors and razor blades (except solely for personal shaving) and any sharp pointed or edged instrument except unaltered nail files and clips and tools used solely for preparation of food, instruction and

1 maintenance. ~~This section shall not apply to the following persons: Officers and enlisted~~
2 ~~personnel of the armed forces of the United States when in discharge of their official duties as~~
3 ~~such and acting under orders requiring them to carry arms or weapons, civil officers of the~~
4 ~~United States while in the discharge of their official duties, officers and soldiers of the militia~~
5 ~~and the national guard when called into actual service, officers of the State, or of any county,~~
6 ~~city, or town, charged with the execution of the laws of the State, when acting in the discharge~~
7 ~~of their official duties, any pupils who are members of the Reserve Officer Training Corps and~~
8 ~~who are required to carry arms or weapons in the discharge of their official class duties, and~~
9 ~~any private police employed by the administration or board of trustees of any public or private~~
10 ~~institution of higher education when acting in the discharge of their duties.~~

11 (b) It is unlawful for a parent, guardian, or person standing in loco parentis
12 knowingly to allow that person's minor child to possess or carry a weapon as listed in
13 subsection (a) of this section on public or private school property as described in
14 subsection (a) of this section.

15 (c) This section shall not apply to the following persons: officers and enlisted
16 personnel of the armed forces of the United States when in discharge of their official
17 duties as such and acting under orders requiring them to carry arms or weapons, civil
18 officers of the United States while in the discharge of their official duties, officers and
19 soldiers of the militia and the national guard when called into actual service, officers of
20 the State, or of any county, city, or town, charged with the execution of the laws of the
21 State, when acting in the discharge of their official duties, any pupils who are members
22 of the Reserve Officer Training Corps and who are required to carry arms or weapons in
23 the discharge of their official class duties, and any private police employed by the
24 administration or board of trustees of any public or private institution of higher
25 education when acting in the discharge of their duties.

26 (d) Any person violating the provisions of this section shall be guilty of a
27 misdemeanor and upon conviction shall be punished in the discretion of the court."

28 Sec. 2. This act becomes effective October 1, 1992, and applies to offenses
29 committed on or after that date.