

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1008

Short Title: Up Penalties/Weapons in School.

(Public)

Sponsors: Representatives Hensley; Alexander, Bowman, D. Brown, Church, Cole, Decker, DeVane, Edwards, Flaherty, Gardner, Griffin, Hall, Hill, Jack Hunt, R. Hunter, Jeffus, Joye, McCrary, Mercer, Michaux, B. Miller, Oldham, Redwine, Smith, and Sutton.

Referred to: Judiciary III.

April 19, 1993

A BILL TO BE ENTITLED

AN ACT TO MAKE IT A CLASS I FELONY TO POSSESS OR CARRY A FIREARM ON SCHOOL PROPERTY OR TO ALLOW A MINOR 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, is unlawful to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind, or any dynamite cartridge, bomb, grenade, mine, or 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.

(b) It is unlawful to possess or carry, whether openly or concealed, any 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

1 public or private school campus, grounds, recreation area, athletic field, or other  
2 property owned, used, or operated by any board of education, school, college, or  
3 university board of trustees or directors for the administration of any public or private  
4 educational institution.

5 (c) It is unlawful knowingly to allow a minor to possess or carry, whether openly  
6 or concealed, any gun, rifle, pistol, dynamite cartridge, bomb, grenade, mine, powerful  
7 explosive as defined in G.S. 14-284.1, bowie knife, dirk, dagger, slungshot, leaded cane,  
8 switch-blade knife, blackjack, metallic knuckles, or any other weapon of like kind, not  
9 used solely for instructional or school sanctioned ceremonial purposes, in any public or  
10 private school building or bus, on any public or private school campus, grounds,  
11 recreation area, athletic field, or other property owned, used, or operated by any board  
12 of education, school, college, or university board of trustees or directors for the  
13 administration of any public or private educational institution.

14 (d) For the purpose of this section a self-opening or switch-blade knife is defined  
15 as a knife containing a blade or blades which open automatically by the release of a  
16 spring or a similar contrivance, and the above phrase "weapon of like kind" includes  
17 razors and razor blades (except solely for personal shaving) and any sharp pointed or  
18 edged instrument except unaltered nail files and clips and tools used solely for  
19 preparation of food, instruction and maintenance.

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

31 (f) Any person violating the provisions of subsection (a) of this section shall be  
32 guilty of a misdemeanor and upon conviction shall be punished in the discretion of the court.  
33 punished as a Class I felon. Any person violating the provisions of subsection (b) of  
34 this section shall be guilty of a misdemeanor. Any person violating the provisions of  
35 subsection (c) of this section shall be punished as a Class I felon."

36 Sec. 2. This act becomes effective December 1, 1993, and applies to offenses  
37 committed on or after that date.