

1 S.178

2 Introduced by Senator Collins

3 Referred to Committee on

4 Date:

5 Subject: Crimes; possession of dangerous or deadly weapons on school

6 property

7 Statement of purpose of bill as introduced: This bill proposes to prohibit the
8 possession of firearms and other dangerous or deadly weapons on any school
9 property.

10 An act relating to prohibiting the possession of firearms and other
11 dangerous or deadly weapons on any school property

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 13 V.S.A. § 4004 is amended to read:

14 § 4004. POSSESSION OF DANGEROUS OR DEADLY WEAPON ~~IN A~~

15 ~~SCHOOL BUS OR SCHOOL BUILDING OR ON SCHOOL~~

16 ~~PROPERTY~~

17 (a) No person shall knowingly possess a firearm or a dangerous or deadly
18 weapon ~~while within a school building or on a school bus~~ on any school
19 property. A person who violates this section shall, for the first offense, be
20 imprisoned not more than one year or fined not more than \$1,000.00, or both,

1 and for a second or subsequent offense shall be imprisoned not more than three
2 years or fined not more than \$5,000.00, or both.

3 (b) No person shall knowingly possess a firearm or a dangerous or deadly
4 weapon on any school property with the intent to injure another person. A
5 person who violates this section shall, for the first offense, be imprisoned not
6 more than two years or fined not more than \$1,000.00, or both, and for a
7 second or subsequent offense shall be imprisoned not more than three years or
8 fined not more than \$5,000.00, or both.

9 (c) This section shall not apply to:

10 (1) A law enforcement officer while engaged in law enforcement duties.

11 (2) Possession and use of firearms or dangerous or deadly weapons if
12 the board of school directors, or the superintendent or principal if delegated
13 authority to do so by the board, authorizes possession or use for specific
14 occasions or for instructional or other specific purposes.

15 (d) As used in this section:

16 (1) "School property" means any property owned by a school, including
17 motor vehicles.

18 (2) "Owned by the school" means owned, leased, controlled, or
19 subcontracted by the school.

20 (3) "Dangerous or deadly weapon" has the meaning defined in section
21 4016 of this title.

1 (4) “Firearm” has the meaning defined in section 4016 of this title.

2 (5) “Law enforcement officer” has the meaning defined in section 4016
3 of this title.

4 (e) The provisions of this section shall not limit or restrict any prosecution
5 for any other offense, including simple assault or aggravated assault.

6 Sec. 2. EFFECTIVE DATE

7 This act shall take effect on passage.