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H.706

Introduced by Representatives Keenan of St. Albans City, Branagan of
Georgia, McCarthy of St. Albans City, Weed of Enosburgh,
Connor of Fairfield, Consejo of Sheldon, Dickinson of
St. Albans Town, Fagan of Rutland City, Krowinski of
Burlington, Michelsen of Hardwick, and Toleno of Brattleboro

Referred to Committee on

Date:

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

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

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

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

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

2 § 4004. POSSESSION OF DANGEROUS OR DEADLY WEAPON ~~IN A~~
3 ~~SCHOOL BUS OR SCHOOL BUILDING OR ON SCHOOL~~
4 ~~PROPERTY~~

5 (a) No person shall knowingly possess a firearm or a dangerous or deadly
6 weapon ~~while within a school building or on a school bus~~ on any school
7 property. A person who violates this section shall, for the first offense, be
8 imprisoned not more than one year or fined not more than \$1,000.00, or both,
9 and for a second or subsequent offense shall be imprisoned not more than three
10 years or fined not more than \$5,000.00, or both.

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

17 (c) This section shall not apply to:

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

19 (2) Possession and use of firearms or dangerous or deadly weapons if
20 the board of school directors, or the superintendent or principal if delegated

1 authority to do so by the board, authorizes possession or use for specific
2 occasions or for instructional or other specific purposes.

3 (d) As used in this section:

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

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

8 (3) "Dangerous or deadly weapon" has the meaning defined in section
9 4016 of this title.

10 (4) "Firearm" has the meaning defined in section 4016 of this title.

11 (5) "Law enforcement officer" has the meaning defined in section 4016
12 of this title.

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

15 Sec. 2. EFFECTIVE DATE

16 This act shall take effect on passage.