

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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SENATE BILL 27

Short Title: Public School Protection/Firearm Amendments. (Public)

Sponsors: Senators Bingham (Primary Sponsor); Brock, Cook, Daniel, J. Davis, Jenkins, Newton, Randleman, Sanderson, and Tillman.

Referred to: Rules and Operations of the Senate.

February 4, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT CERTAIN PERSONS CERTIFIED BY THE NORTH
3 CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS
4 COMMISSION AND DESIGNATED BY A LOCAL BOARD OF EDUCATION OR
5 BOARD OF DIRECTORS OF A CHARTER SCHOOL MAY POSSESS AND CARRY
6 FIREARMS ON EDUCATIONAL PROPERTY TO PROVIDE ADDITIONAL
7 PROTECTION TO THOSE ATTENDING AND WORKING IN PUBLIC SCHOOLS.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 14-269.2(a) reads as rewritten:

10 "(a) The following definitions apply to this section:

11 (1) Educational property. – Any school building or bus, school campus,
12 grounds, recreational area, athletic field, or other property owned, used, or
13 operated by any board of education or school board of trustees, or directors
14 for the administration of any school.

15 (1a) Employee. – A person employed by a local board of education or school
16 whether the person is an adult or a minor.

17 (1b) School. – A public or private school, community college, college, or
18 university.

19 (1c) School safety marshal. – A person designated as a school safety marshal by a
20 local board of education pursuant to G.S. 115C-47 or by the board of
21 directors of a charter school pursuant to G.S. 115C-238.29E(d).

22 (2) Student. – A person enrolled in a school or a person who has been suspended
23 or expelled within the last five years from a school, whether the person is an
24 adult or a minor.

25 (3) Switchblade knife. – A knife containing a blade that opens automatically by
26 the release of a spring or a similar contrivance.

27 (4) Weapon. – Any device enumerated in subsection (b), (b1), or (d) of this
28 section."

29 **SECTION 2.** G.S. 14-269.2(g) is amended by adding a new subdivision to read:

30 "(7) A person who is a school safety marshal, provided the person is acting in the
31 discharge of the person's official duties and is on the premises of the
32 educational property that is owned, used, or operated by the local board of
33 education or the board of directors of a charter school, as appropriate, that
34 designated the person as a school safety marshal."

35 **SECTION 3.** G.S. 17C-6 is amended by adding a new subdivision to read:



1 "(17) In conjunction with the State Board of Education, develop a school crisis
2 and emergency management response program to train persons to be school
3 safety marshals as defined in G.S. 115C-47 and G.S. 115C-238.29E(d). The
4 Commission shall establish minimum standards and levels of training that
5 must be met in order for a person to be certified as a school safety marshal.
6 Training standards shall include a minimum level of firearms training that
7 involves the actual firing of firearms and that also focuses on the use of
8 firearms in a crisis situation that may involve unarmed bystanders. The
9 Commission may charge a reasonable fee to applicants for the costs incurred
10 to comply with this subdivision."

11 **SECTION 4.** G.S. 17C-8 reads as rewritten:

12 "**§ 17C-8. System established.**

13 The North Carolina Criminal Justice Education and Training Standards Commission shall
14 establish a North Carolina Criminal Justice Education and Training System. The system shall
15 be a cooperative arrangement among criminal justice agencies, both State and local, and
16 criminal justice education and training schools, both public and private, to provide education
17 and training to the officers and employees of the criminal justice agencies of the State of North
18 Carolina and its local ~~governments~~-governments, and to persons identified as potential school
19 safety marshals pursuant to G.S. 115C-47 or G.S. 115C-238.29E(d). Members of the system
20 shall include the North Carolina Justice Academy as well as such other public or private
21 agencies or institutions within the State, that are engaged in criminal justice education and
22 training, and desire to be affiliated with the system for the purpose of achieving greater
23 coordination of criminal justice education and training efforts in North Carolina."

24 **SECTION 5.** G.S. 115C-47 is amended by adding a new subdivision to read:

25 "(40a) To Designate School Safety Marshals. – Local boards of education may
26 designate qualified persons to serve as school safety marshals and may adopt
27 rules and policies regarding the duties of a school safety marshal. The board
28 may establish application procedures for persons interested in serving as
29 school safety marshals and may adopt policies regarding the determination
30 of which applicants, if any, to recommend to the North Carolina Criminal
31 Justice Education and Training Standards Commission as potential school
32 safety marshals. A person must be certified by the North Carolina Criminal
33 Justice Education and Training Standards Commission pursuant to
34 G.S. 17C-6(17) before a person may be designated as a school safety
35 marshal. In the discretion of the local board of education, a school safety
36 marshal may be a school volunteer, a school employee, or a person
37 otherwise engaged by the school to carry out the duties of a school marshal."

38 **SECTION 6.** G.S. 115C-238.29E(d) reads as rewritten:

39 "(d) The board of directors of the charter school shall decide matters related to the
40 operation of the school, including budgeting, curriculum, and operating procedures. The board
41 of directors may designate qualified persons to serve as school safety marshals and may adopt
42 rules and policies regarding the duties of a school safety marshal. The board may establish
43 application procedures for persons interested in serving as school safety marshals and may
44 adopt policies regarding the determination of which applicants, if any, to recommend to the
45 North Carolina Criminal Justice Education and Training Standards Commission as potential
46 school safety marshals. A person must be certified by the North Carolina Criminal Justice
47 Education and Training Standards Commission pursuant to G.S. 17C-6(17) before a person
48 may be designated as a school safety marshal. In the discretion of the board of directors, a
49 school safety marshal may be a school volunteer, a school employee, or a person otherwise
50 engaged by the school to carry out the duties of a school marshal."

1 **SECTION 7.** Sections 1 and 2 of this act become effective December 1, 2013.
2 The remainder of this act becomes effective August 1, 2013.