

HOUSE BILL NO. 417**IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION****BY REPRESENTATIVE BUNDE**

Introduced: 1/31/94

Referred: Health, Education & Social Services, Judiciary

A BILL**FOR AN ACT ENTITLED**

1 "An Act relating to the possession of deadly weapons within the grounds of or
2 on the parking lot of preschools, elementary, junior high, and secondary schools;
3 and relating to school lockers and other containers provided in a public or
4 private school by the school or the school district."

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * Section 1. AS 11.61.220(a) is amended to read:

7 (a) A person commits the crime of misconduct involving weapons in the fifth
8 degree if the person

9 (1) knowingly possesses a deadly weapon, other than an ordinary
10 pocket knife or a defensive weapon, that is concealed on the person;

11 (2) knowingly possesses a loaded firearm on the person in any place
12 where intoxicating liquor is sold for consumption on the premises;

13 (3) being an unemancipated minor under 16 years of age, possesses
14 firearm without the consent of a parent or guardian of the minor;

1 (4) knowingly possesses a **[FIREARM]**

2 (A) deadly weapon or a defensive weapon within the grounds
3 of or on a parking lot immediately adjacent to a public or private preschool,
4 elementary, junior high, or secondary school, or postsecondary educational
5 institution, without the permission of the chief administrative officer of the
6 school [OR] district, or postsecondary educational institution, or the designee
7 of the chief administrative officer, except that a person 21 years of age or older
8 may possess

9 (i) a deadly weapon other than a loaded firearm [AN
10 UNLOADED FIREARM] in the trunk of a motor vehicle or encased in
11 a closed container in a motor vehicle;

12 (ii) a defensive weapon; or

13 (B) firearm within the grounds of or on a parking lot
14 immediately adjacent to a center, other than a private residence, licensed under
15 AS 47.35.010 - 47.35.075 or recognized by the federal government for the care
16 of children; or

17 (5) possesses or transports a switchblade or a gravity knife.

18 * Sec. 2. AS 14.03 is amended by adding a new section to read:

19 Sec. 14.03.105. SCHOOL LOCKERS. (a) Subject to (b) of this section, a
20 locker or other container provided in a public or private school by the school or the
21 school district may be searched and examined with the permission of the chief
22 administrative officer of the school or the school district or the designee of the chief
23 administrative officer to determine compliance with school regulations, school district
24 regulations, and local, state, and federal laws.

25 (b) Notices in letters at least two inches high stating the right and the intention
26 of school and school district officers to permit searches and examinations under (a) of
27 this section shall be posted in prominent locations throughout a school for two weeks
28 before a search or examination is conducted. Notices under this subsection may be
29 continuously posted.

30 (c) Nothing in this section limits the ability of a peace officer, chief
31 administrative officer, or other appropriate person, acting in compliance with local,

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state, or federal laws, to search a locker or other container provided in a public or private school by the school district.