

HOUSE BILL NO. 434

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES DAVIES, Grussendorf, Brown

Introduced: 2/2/94

Referred: Health, Education & Social Services, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the possession of deadly weapons or defensive weapons on
2 school grounds or adjacent parking lots."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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

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

7 (1) knowingly possesses a deadly weapon, other than an ordinary
8 pocketknife or a defensive weapon, that is concealed on the person;

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

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

13 (4) knowingly possesses a firearm

14 (A) or other deadly weapon or a defensive weapon within the

1 grounds of or on a parking lot immediately adjacent to a public or private
2 preschool, elementary, junior high, or secondary school without the permission
3 of the chief administrative officer of the school or district or the designee of
4 the chief administrative officer, except that a person 21 years of age or older
5 may possess

6 (i) an unloaded firearm or other deadly weapon in the
7 trunk of a motor vehicle or encased in a closed container in a motor
8 vehicle;

9 (ii) an ordinary pocketknife or a defensive weapon; or

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

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

15 * Sec. 2. AS 11.61.220 is amended by adding a new subsection to read:

16 (h) In (a)(4) of this section, "firearm" includes an air gun or pellet gun
17 that discharges a shot, pellet, or other projectile by means of compressed air or other
18 gas.

19 * Sec. 3. AS 14.03.080 is amended by adding a new subsection to read:

20 (f) This section does not requires a school district to admit a child or person
21 currently under suspension or expulsion under AS 14.03.160 in another school district.

22 * Sec. 4. AS 14.03 is amended by adding a new section to read:

23 Sec. 14.03.160. SUSPENSION OR EXPULSION OF STUDENTS FOR
24 POSSESSING WEAPONS. Notwithstanding any other provision of law, a school
25 district shall adopt procedures, including the right to a hearing, providing for the
26 suspension for at least 30 days, or expulsion for the school year or permanently, for
27 a student who violates AS 11.61.220(a)(4)(A). A prior conviction, or adjudication of
28 delinquency or child in need of supervision, for violation of AS 11.61.220(a)(4) is not
29 necessary for a school board to suspend or expel a student under this section.