

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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SENATE DRS35019-LHF-42 (01/25)

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

Sponsors: Senator Bingham (Primary Sponsor).

Referred to:

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:



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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.