

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 149
PROPOSED COMMITTEE SUBSTITUTE S149-PCS85205-RK-71

Short Title: No Nonmetallic Knuckles.

(Public)

Sponsors:

Referred to:

March 1, 2011

A BILL TO BE ENTITLED

AN ACT TO MAKE IT UNLAWFUL INTENTIONALLY TO CARRY CONCEALED
NONMETALLIC KNUCKLES EXCEPT ON ONE'S OWN PROPERTY; TO MAKE IT
UNLAWFUL TO CARRY NONMETALLIC KNUCKLES, WHETHER OPENLY OR
CONCEALED, ON EDUCATIONAL PROPERTY; AND TO MAKE IT UNLAWFUL TO
SELL OR OTHERWISE TRANSFER NONMETALLIC KNUCKLES TO A MINOR.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-269(a) reads as rewritten:

"(a) It shall be unlawful for any person willfully and intentionally to carry concealed about his person any bowie knife, dirk, dagger, slung shot, loaded cane, metallic or nonmetallic knuckles, razor, shurikin, stun gun, or other deadly weapon of like kind, except when the person is on the person's own premises."

SECTION 2. G.S. 14-269.2 reads as rewritten:

"§ 14-269.2. Weapons on campus or other educational property.

(a) The following definitions apply to this section:

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

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

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

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

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

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

(b) It shall be a Class I felony for any person to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind on educational property or to a curricular or extracurricular activity sponsored by a school. Unless the conduct is covered



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1 under some other provision of law providing greater punishment, any person who willfully
2 discharges a firearm of any kind on educational property is guilty of a Class F felony. However,
3 this subsection does not apply to a BB gun, stun gun, air rifle, or air pistol.

4 (b1) It shall be a Class G felony for any person to possess or carry, whether openly or
5 concealed, any dynamite cartridge, bomb, grenade, mine, or powerful explosive as defined in
6 G.S. 14-284.1, on educational property or to a curricular or extracurricular activity sponsored
7 by a school. This subsection shall not apply to fireworks.

8 (c) It shall be a Class I felony for any person to cause, encourage, or aid a minor who is
9 less than 18 years old to possess or carry, whether openly or concealed, any gun, rifle, pistol, or
10 other firearm of any kind on educational property. However, this subsection does not apply to a
11 BB gun, stun gun, air rifle, or air pistol.

12 (c1) It shall be a Class G felony for any person to cause, encourage, or aid a minor who
13 is less than 18 years old to possess or carry, whether openly or concealed, any dynamite
14 cartridge, bomb, grenade, mine, or powerful explosive as defined in G.S. 14-284.1 on
15 educational property. This subsection shall not apply to fireworks.

16 (d) It shall be a Class 1 misdemeanor for any person to possess or carry, whether openly
17 or concealed, any BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slungshot,
18 leaded cane, switchblade knife, blackjack, metallic or nonmetallic knuckles, razors and razor
19 blades (except solely for personal shaving), firework, or any sharp-pointed or edged instrument
20 except instructional supplies, unaltered nail files and clips and tools used solely for preparation
21 of food, instruction, and maintenance, on educational property.

22 (e) It shall be a Class 1 misdemeanor for any person to cause, encourage, or aid a minor
23 who is less than 18 years old to possess or carry, whether openly or concealed, any BB gun,
24 stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slungshot, leaded cane, switchblade
25 knife, blackjack, metallic or nonmetallic knuckles, razors and razor blades (except solely for
26 personal shaving), firework, or any sharp-pointed or edged instrument except instructional
27 supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction,
28 and maintenance, on educational property.

29"

30 **SECTION 3.** G.S. 14-315(a) reads as rewritten:

31 "(a) Sale of Weapons Other Than Handguns. – If a person sells, offers for sale, gives, or
32 in any way transfers to a minor any pistol cartridge, ~~brass knucks,~~ metallic or nonmetallic
33 knuckles, bowie knife, dirk, shurikin, leaded cane, or slungshot, the person is guilty of a Class 1
34 misdemeanor and, in addition, shall forfeit the proceeds of any sale made in violation of this
35 section."

36 **SECTION 4.** Prosecutions for offenses committed before the effective date of this
37 act, including prosecutions where nonmetallic knuckles have been alleged to be deadly
38 weapons, are not abated or affected by this act, and the statutes that would be applicable but for
39 this act remain applicable to those prosecutions.

40 **SECTION 5.** This act becomes effective December 1, 2011, and applies to
41 offenses committed on or after that date.