



HOUSE BILL No. 4033

January 11, 1995, Introduced by Reps. Agee and Baade and referred to the Committee on Education.

A bill to amend section 1313 of Act No. 451 of the Public Acts of 1976, entitled as amended "The school code of 1976," as added by Act No. 211 of the Public Acts of 1987, being section 380.1313 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 1313 of Act No. 451 of the Public Acts
2 of 1976, as added by Act No. 211 of the Public Acts of 1987,
3 being section 380.1313 of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 1313. (1) If a dangerous weapon is found in the pos-
6 session of a pupil while the pupil is in attendance at school or
7 a school activity or while the pupil is enroute to or from school
8 on a school bus, the superintendent of the ~~local~~ SCHOOL
9 DISTRICT or intermediate school district, or his or her designee,

1 immediately shall report that finding to the pupil's parent or
2 legal guardian and the local law enforcement agency.

3 (2) IF A SCHOOL OFFICIAL FINDS THAT A DANGEROUS WEAPON IS IN
4 THE POSSESSION OF A PUPIL AS DESCRIBED IN SUBSECTION (1), THE
5 SCHOOL OFFICIAL MAY CONFISCATE THE DANGEROUS WEAPON OR SHALL
6 REQUEST THE LOCAL LAW ENFORCEMENT AGENCY TO RESPOND AS SOON AS
7 POSSIBLE AND TO CONFISCATE THE DANGEROUS WEAPON. IF A SCHOOL
8 OFFICIAL CONFISCATES A DANGEROUS WEAPON UNDER THIS SUBSECTION,
9 THE SCHOOL OFFICIAL SHALL GIVE THE DANGEROUS WEAPON TO A LAW
10 ENFORCEMENT AGENCY AND SHALL NOT RELEASE THE DANGEROUS WEAPON TO
11 ANY OTHER PERSON, INCLUDING THE LEGAL OWNER OF THE DANGEROUS
12 WEAPON. A SCHOOL OFFICIAL WHO COMPLIES IN GOOD FAITH WITH THIS
13 SECTION IS NOT CIVILLY OR CRIMINALLY LIABLE FOR THAT COMPLIANCE.

14 (3) ~~(2)~~ As used in this section, "dangerous weapon" means
15 a firearm, dagger, dirk, stiletto, knife with a blade over 3
16 inches in length, pocket knife opened by a mechanical device,
17 iron bar, or brass knuckles.