

## CHAPTER 157

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**EDUCATION - PUBLIC SCHOOLS**

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**HOUSE BILL 98-1371**

BY REPRESENTATIVES Swenson, Bacon, Clarke, Dean, Gotlieb, Grampas, S. Johnson, Mace, Miller, Nichol, Paschall, Pfiffner, Reeser, Spradley, Taylor, Udall, S. Williams, and Young;  
also SENATORS Ament, B. Alexander, Arnold, Bishop, Chlouber, Dennis, Hernandez, Hopper, J. Johnson, Linkhart, Martinez, Pascoe, Perlmutter, Powers, Rizzuto, Rupert, Schroeder, Tebedo, Wattenberg, Wells, and Wham.

**AN ACT**

CONCERNING GROUNDS FOR EXPULSION RELATED TO DANGEROUS WEAPONS.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** 22-33-106 (1) (d) (II) (A), Colorado Revised Statutes, is amended, and the said 22-33-106 (1) (d) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

**22-33-106. Grounds for suspension, expulsion, and denial of admission.**  
(1) The following shall be grounds for suspension or expulsion of a child from a public school during a school year:

(d) (II) As used in this paragraph (d), "dangerous weapon" means:

(A) A firearm, whether loaded or unloaded, or a firearm facsimile THAT COULD REASONABLY BE MISTAKEN FOR AN ACTUAL FIREARM;

(III) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (d), CARRYING, BRINGING, OR POSSESSING A DANGEROUS WEAPON WITHOUT THE AUTHORIZATION OF THE SCHOOL OR THE SCHOOL DISTRICT SHALL NOT REQUIRE MANDATORY EXPULSION IF, WHEN THE STUDENT DISCOVERS THAT HE OR SHE HAS CARRIED, BROUGHT, OR IS IN POSSESSION OF A DANGEROUS WEAPON, THE STUDENT NOTIFIES A TEACHER, ADMINISTRATOR, OR OTHER AUTHORIZED PERSON IN THE SCHOOL DISTRICT AS SOON AS POSSIBLE AND DELIVERS THE DANGEROUS WEAPON

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

TO THE TEACHER, ADMINISTRATOR, OR OTHER AUTHORIZED PERSON. NOTHING IN THIS SUBPARAGRAPH (III) SHALL BE CONSTRUED AS PROHIBITING A SCHOOL DISTRICT FROM EXPELLING A STUDENT UNDER THE CIRCUMSTANCES SPECIFIED IN THIS SUBPARAGRAPH (III) IF SUCH EXPULSION WOULD BE IN ACCORDANCE WITH THE SCHOOL DISTRICT'S DISCIPLINE CODE.

**SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 21, 1998