

ORDINANCE NO. 4627

AN ORDINANCE AMENDING CHAPTER 78 OF THE BOSSIER PARISH CODE OF ORDINANCES, "OFFENSES AND MISCELLANEOUS PROVISIONS", BY ADDING SECTION 78-3, "SCHOOL SECURITY"

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session on this 21st day of September, 2016, that Chapter 78 of the Bossier Parish Code of Ordinances, be and is hereby amended to add Section 78-3, as follows:

Section 78-3. School Security

(a) Unlawful carrying of imitation firearms, projectiles, dangerous weapons, or ammunition by a student or non-student on school property, at school sponsored functions:

1. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Campus means all facilities and property within the boundary of the school property;

Non-student means any person not registered and/or enrolled in that school or a suspended student who does not have permission to be on the school campus;

School means any elementary, secondary, high school, vocational-technical school or college;

School bus means any motor bus, or other vehicle, being used to transport children to and from school or in connection with school activities;

Imitation firearms means any BB device, toy gun, replica of a firearm, CO2 propellant firearm device or other device that is substantially similar in coloration and overall appearance to an existing firearm as to lead a reasonable person to perceive that the device is a firearm;

Projectiles means non-powder items, usually made of hard metal or plastic, propelled by the use of an imitation firearm through the use of air pressure, CO2 pressure or spring action;

Dangerous weapons means any substance defined in R.S. 14:2 A(A) (3);

Ammunition means any cartridge, shell, or projectile designed for a use in a firearm;

2. Except as provided herein, it shall be unlawful, by any student or non-student, to possess or cause to possess an imitation firearm, projectile, dangerous weapons, or ammunition on school property, at a school sponsored function, while on a school campus, on any school transportation, or at any school sponsored function in a specific designated area including but not limited to athletic competitions, dances, parties or any extracurricular activities.

3. This section shall not apply to peace officers, as defined by R.S. 40:2402, including but not limited to a federal law enforcement officer or a Louisiana-commissioned state, or local Post Certified law enforcement officer who is authorized to carry firearms, a school official acting during the normal course of his employment, or a student under the direction of such school official or employee.

4. This section shall not apply to any person having written permission under R.S. 17:3361.1, or if the possession of such imitation firearm, projectile, dangerous weapons, or ammunition occurs entirely on private property, within a private residence, or any constitutionally protected activity which cannot be regulated by the state, such as these items being contained entirely within a motor vehicle.

5. This section shall not apply to any student carrying an imitation firearm, projectile, or ammunition to or from a class, in which he is duly enrolled, that requires the use of that imitation firearm, projectile, dangerous weapons, or ammunition, or for any student enrolled

in participating in an activity requiring the use of the imitation firearm, projectile, or ammunition including but not limited to ROTC, band, or any other function under the authorization of the school.

(a) School officials shall notify all students and parents of the enactment of this ordinance with reasonable effort by posting information on the school's website, sending informative flyers home with students, and mailing information to known addresses of students addressed to their parent or guardian.

Section 78-4. Violations and penalties:

(a) Whoever violates the provisions of Section 78-3 under a first offense may be imprisoned for a period of up to six months and/or fined \$250.00.

(b) Whoever violates the provisions of Section 78-3 under a second or subsequent offense shall be imprisoned for up to six months and fined \$500.00.

(c) Upon the completion of conviction or closure of adjudication, all items seized and identified as imitation firearms, projectiles, dangerous weapons, or ammunition shall be destroyed and are not subject to being returned into society unless the items are deemed stolen from an uninvolved party prior to their use in the offense.

The ordinance was offered by Mr. Benton, seconded by Mr. Brotherton. Upon unanimous vote, it was duly adopted on this 21st day of September, 2016.

RACHEL D. HAUSER
PARISH SECRETARY

WANDA BENNETT, PRESIDENT
BOSSIER PARISH POLICE JURY

State law reference: R.S. 14:95.2, definitions under B(1)-(4), provisions on who this shall not apply to under C(1)-(8), R.S. 14:95.1.3 definition under B(1)