

1 S.22

2 Introduced by Senator Perchlik

3 Referred to Committee on

4 Date:

5 Subject: Criminal procedure; firearms; discharge within 500 feet of child care
6 facility or school

7 Statement of purpose of bill as introduced: This bill proposes to prohibit the
8 discharge of a firearm within 500 feet of a child care facility or school.

9 An act relating to prohibiting discharge of firearms within 500 feet of a
10 child care facility or school

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 13 V.S.A. § 4004a is added to read:

13 § 4004a. FIREARM DISCHARGE WITHIN 500 FEET OF CHILD CARE

14 FACILITY OR SCHOOL PROPERTY

15 (a) A person shall not knowingly discharge a firearm within 500 feet of:

16 (1) school property; or

17 (2) a child care facility that the person knows or reasonably should

18 know is open for business at the time of the discharge.

19 (b) A person who violates this section shall be imprisoned not more than

20 one year or fined not more than \$1,000.00, or both.

1 (c) This section shall not apply to the discharge of a firearm for legitimate
2 law enforcement purposes by a federal law enforcement officer or a law
3 enforcement officer certified as a law enforcement officer by the Vermont
4 Criminal Justice Council pursuant to 20 V.S.A. § 2358.

5 (d) As used in this section:

6 (1) “Child care facility” means:

7 (A) a child care facility as defined in 33 V.S.A. § 511; or

8 (B) a prequalified private prekindergarten provider as defined in
9 16 V.S.A. § 829.

10 (2) “Firearm” has the same meaning as in section 4016 of this title.

11 (3) “Owned by the school” means owned, leased, controlled, or
12 subcontracted by the school.

13 (4) “School property” means any property owned by a school.

14 Sec. 2. EFFECTIVE DATE

15 This act shall take effect on passage.