

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 663

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO SCHOOLS; AMENDING SECTION 18-3302I, IDAHO CODE, TO REVISE A PRO-
2 VISION REGARDING THREATENING SCHOOL VIOLENCE, TO REMOVE PROVISIONS RE-
3 GARDING INTENT, TO PROVIDE THAT CERTAIN ACTS SHALL BE A FELONY AND TO RE-
4 VISE A DEFINITION.
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 18-3302I, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 18-3302I. THREATENING VIOLENCE ON UPON SCHOOL GROUNDS -- FIREARMS AND
10 OTHER DEADLY OR DANGEROUS WEAPONS.

11 (1) (a) Any person, including a student, who willfully threatens ~~on~~
12 ~~school grounds~~ by word, electronic means or act to use a firearm or other
13 deadly or dangerous weapon to do violence to any ~~other~~ person on school
14 grounds or to disrupt the normal operations of an educational institu-
15 tion by making a threat of violence is guilty of a misdemeanor.

16 (b) ~~The threats prohibited by this section encompass only those state-~~
17 ~~ments or acts where the speaker or actor intends to communicate a seri-~~
18 ~~ous expression of an intent to commit an act of unlawful violence to a~~
19 ~~particular individual or group of individuals. The prosecution is not~~
20 ~~required to prove that the defendant actually intended to carry out the~~
21 ~~threat~~ Any person, including a student, who knowingly has in his posses-
22 sion a firearm or other deadly or dangerous weapon, or who makes, alters
23 or repairs any firearm or other deadly or dangerous weapon, in the fur-
24 therance of carrying out a threat made by word, electronic means or act
25 to do violence to any person on school grounds or to disrupt the normal
26 operations of an educational institution by making a threat of violence
27 is guilty of a felony.

28 (2) Definitions. As used in this section:

29 (a) "Deadly or dangerous weapon" means a weapon, device, instrument,
30 material or substance that is used for, or is readily capable of, caus-
31 ing death or serious bodily injury;

32 (b) "On school grounds" means ~~in~~ or on the property of, a owned or oper-
33 ated by a school district, public charter school or private elementary
34 or secondary school.