

REFERENCE TITLE: firearms; universities; community colleges; campus

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
Second Regular Session  
2022

## **HB 2447**

Introduced by  
Representatives Nguyen: Biasiucci, Blackman, Bolick, Carter, Diaz,  
Fillmore, Grantham, Griffin, Hoffman, Parker, Toma

**AN ACT**

**AMENDING SECTIONS 13-2911 AND 13-3102, ARIZONA REVISED STATUTES; RELATING TO FIREARMS.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 13-2911, Arizona Revised Statutes, is amended to  
3 read:  
4 13-2911. Interference with or disruption of an educational  
5 institution; violation; classification;  
6 definitions  
7 A. A person commits interference with or disruption of an  
8 educational institution by doing any of the following:  
9 1. Intentionally, knowingly or recklessly interfering with or  
10 disrupting the normal operations of an educational institution by either:  
11 (a) Threatening to cause physical injury to any employee or student  
12 of an educational institution or any person on the property of an  
13 educational institution.  
14 (b) Threatening to cause damage to any educational institution, the  
15 property of any educational institution or the property of any employee or  
16 student of an educational institution.  
17 2. Intentionally or knowingly entering or remaining on the property  
18 of any educational institution for the purpose of interfering with the  
19 lawful use of the property or in any manner as to deny or interfere with  
20 the lawful use of the property by others.  
21 3. Intentionally or knowingly refusing to obey a lawful order given  
22 pursuant to subsection C of this section.  
23 B. To constitute a violation of this section, the acts that are  
24 prohibited by subsection A, paragraph 1 of this section are not required  
25 to be directed at a specific individual, a specific educational  
26 institution or any specific property of an educational institution.  
27 C. The chief administrative officer of an educational institution  
28 or an officer or employee designated by the chief administrative officer  
29 to maintain order may order a person to leave the property of the  
30 educational institution if the officer or employee has reasonable grounds  
31 to believe either that:  
32 1. Any person or persons are committing any act that interferes  
33 with or disrupts the lawful use of the property by others at the  
34 educational institution.  
35 2. Any person has entered on the property of an educational  
36 institution for the purpose of committing any act that interferes with or  
37 disrupts the lawful use of the property by others at the educational  
38 institution.  
39 D. The appropriate governing board of every educational institution  
40 shall adopt rules pursuant to title 41, chapter 6 for ~~the maintenance of~~  
41 **MAINTAINING** public order on all property of any educational institution  
42 under its jurisdiction that is used for educational purposes and shall  
43 provide a program for ~~the enforcement of~~ **ENFORCING** its rules. The rules  
44 shall govern the conduct of students, faculty and other staff and all  
45 members of the public while on the property of the educational

1 institution. Penalties for ~~violations of~~ VIOLATING the rules shall be  
2 clearly set forth and enforced. Penalties shall include provisions for  
3 the ejection of a violator from the property and, in the case of a  
4 student, faculty member or other staff violator, the violator's suspension  
5 or expulsion or any other appropriate disciplinary action. A governing  
6 board shall amend its rules as necessary to ensure the maintenance of  
7 public order. Any deadly weapon, dangerous instrument or explosive that  
8 is used, displayed or possessed by a person in violation of a rule adopted  
9 pursuant to this subsection shall be forfeited and sold or otherwise  
10 disposed of pursuant to section 13-3105 and chapter 39 of this title.  
11 This subsection does not do either of the following:

12 1. Preclude school districts from conducting approved gun safety  
13 programs on school campuses.

14 2. Apply to private universities, colleges, high schools or common  
15 schools or other private educational institutions.

16 E. An educational institution is not eligible to receive any state  
17 aid or assistance unless rules are adopted in accordance with this  
18 section.

19 F. This section does not prevent or limit the authority of the  
20 governing board of any educational institution to discharge any employee  
21 or expel, suspend or otherwise punish any student for ~~any violation of~~  
22 VIOLATING its rules, even though the violation is unlawful under this  
23 chapter or is otherwise an offense.

24 G. This section may be enforced by any peace officer in this state  
25 wherever and whenever a violation occurs.

26 H. NOTWITHSTANDING SUBSECTION D OF THIS SECTION, THE CHIEF  
27 ADMINISTRATIVE OFFICER, THE CHIEF ADMINISTRATIVE OFFICER'S DESIGNEE, THE  
28 ARIZONA BOARD OF REGENTS OR A COMMUNITY COLLEGE DISTRICT GOVERNING BOARD  
29 MAY NOT ADOPT OR ENFORCE ANY POLICY OR RULE THAT RESTRICTS OR PROHIBITS A  
30 FACULTY MEMBER OR REGISTERED STUDENT FROM CARRYING OR TRANSPORTING A  
31 FIREARM ON THE PROPERTY OF THE PUBLIC UNIVERSITY OR COMMUNITY COLLEGE IF  
32 THE FACULTY MEMBER OR REGISTERED STUDENT POSSESSES A VALID PERMIT THAT IS  
33 ISSUED PURSUANT TO SECTION 13-3112 AND SUBMITS A REGISTRATION TO THE  
34 INSTITUTION'S ADMINISTRATION INDICATING THAT THE FACULTY MEMBER OR  
35 REGISTERED STUDENT IS ARMED AND POSSESSES A VALID PERMIT THAT IS ISSUED  
36 PURSUANT TO SECTION 13-3112. THE CHIEF ADMINISTRATIVE OFFICER, THE CHIEF  
37 ADMINISTRATIVE OFFICER'S DESIGNEE, THE ARIZONA BOARD OF REGENTS OR A  
38 COMMUNITY COLLEGE DISTRICT GOVERNING BOARD SHALL ADOPT AND ENFORCE  
39 GUIDELINES FOR USING A FIREARM IN AN ACTIVE SHOOTER INCIDENT. THE  
40 GUIDELINES MAY BE MODELED AFTER THE FEDERAL BUREAU OF INVESTIGATION OR THE  
41 UNITED STATES DEPARTMENT OF HOMELAND SECURITY PROTOCOLS OR GUIDELINES FOR  
42 AN ACTIVE SHOOTER INCIDENT.

43 ~~H.~~ I. Restitution under sections 8-341, 8-345 and 13-603 applies  
44 to any financial loss that is suffered by a person or educational  
45 institution as a result of a violation of this section.



- 1           2. Carrying a deadly weapon except a pocket knife concealed on his  
2 person or concealed within his immediate control in or on a means of  
3 transportation if the person is under twenty-one years of age; or
- 4           3. Manufacturing, possessing, transporting, selling or transferring  
5 a prohibited weapon, except that if the violation involves dry ice, a  
6 person commits misconduct involving weapons by knowingly possessing the  
7 dry ice with the intent to cause injury to or death of another person or  
8 to cause damage to the property of another person; or
- 9           4. Possessing a deadly weapon or prohibited weapon if such person  
10 is a prohibited possessor; or
- 11           5. Selling or transferring a deadly weapon to a prohibited  
12 possessor; or
- 13           6. Defacing a deadly weapon; or
- 14           7. Possessing a defaced deadly weapon knowing the deadly weapon was  
15 defaced; or
- 16           8. Using or possessing a deadly weapon during the commission of any  
17 felony offense included in chapter 34 of this title; or
- 18           9. Discharging a firearm at an occupied structure in order to  
19 assist, promote or further the interests of a criminal street gang, a  
20 criminal syndicate or a racketeering enterprise; or
- 21           10. Unless specifically authorized by law, entering any public  
22 establishment or attending any public event and carrying a deadly weapon  
23 on his person after a reasonable request by the operator of the  
24 establishment or the sponsor of the event or the sponsor's agent to remove  
25 his weapon and place it in the custody of the operator of the  
26 establishment or the sponsor of the event for temporary and secure storage  
27 of the weapon pursuant to section 13-3102.01; or
- 28           11. Unless specifically authorized by law, entering an election  
29 polling place on the day of any election carrying a deadly weapon; or
- 30           12. Possessing a deadly weapon on school grounds; or
- 31           13. Unless specifically authorized by law, entering a nuclear or  
32 hydroelectric generating station carrying a deadly weapon on his person or  
33 within the immediate control of any person; or
- 34           14. Supplying, selling or giving possession or control of a firearm  
35 to another person if the person knows or has reason to know that the other  
36 person would use the firearm in the commission of any felony; or
- 37           15. Using, possessing or exercising control over a deadly weapon in  
38 furtherance of any act of terrorism as defined in section 13-2301 or  
39 possessing or exercising control over a deadly weapon knowing or having  
40 reason to know that it will be used to facilitate any act of terrorism as  
41 defined in section 13-2301; or
- 42           16. Trafficking in weapons or explosives for financial gain in order  
43 to assist, promote or further the interests of a criminal street gang, a  
44 criminal syndicate or a racketeering enterprise.

1 B. Subsection A, paragraph 2 of this section shall not apply to:

2 1. A person in his dwelling, on his business premises or on real  
3 property owned or leased by that person or that person's parent,  
4 grandparent or legal guardian.

5 2. A member of the sheriff's volunteer posse or reserve  
6 organization who has received and passed firearms training that is  
7 approved by the Arizona peace officer standards and training board and who  
8 is authorized by the sheriff to carry a concealed weapon pursuant to  
9 section 11-441.

10 3. A firearm that is carried in:

11 (a) A manner where any portion of the firearm or holster in which  
12 the firearm is carried is visible.

13 (b) A holster that is wholly or partially visible.

14 (c) A scabbard or case designed for carrying weapons that is wholly  
15 or partially visible.

16 (d) Luggage.

17 (e) A case, holster, scabbard, pack or luggage that is carried  
18 within a means of transportation or within a storage compartment, map  
19 pocket, trunk or glove compartment of a means of transportation.

20 C. Subsection A, paragraphs 2, 3, 7, 10, 11, 12 and 13 of this  
21 section shall not apply to:

22 1. A peace officer or any person summoned by any peace officer to  
23 assist and while actually assisting in the performance of official duties;  
24 or

25 2. A member of the military forces of the United States or of any  
26 state of the United States in the performance of official duties; or

27 3. A warden, deputy warden, community correctional officer,  
28 detention officer, special investigator or correctional officer of the  
29 state department of corrections or the department of juvenile corrections;  
30 or

31 4. A person specifically licensed, authorized or permitted pursuant  
32 to a statute of this state or of the United States.

33 D. Subsection A, paragraph 10 of this section does not apply to an  
34 elected or appointed judicial officer in the court facility where the  
35 judicial officer works if the judicial officer has demonstrated competence  
36 with a firearm as prescribed in section 13-3112, subsection N, except that  
37 the judicial officer shall comply with any rule or policy adopted by the  
38 presiding judge of the superior court while in the court facility. For  
39 the purposes of this subsection, appointed judicial officer does not  
40 include a hearing officer or a judicial officer pro tempore who is not a  
41 full-time officer.

42 E. Subsection A, paragraphs 3 and 7 of this section shall not apply  
43 to:

44 1. The possessing, transporting, selling or transferring of weapons  
45 by a museum as a part of its collection or an educational institution for

1 educational purposes or by an authorized employee of such museum or  
2 institution, if:

3 (a) Such museum or institution is operated by the United States or  
4 this state or a political subdivision of this state, or by an organization  
5 described in 26 United States Code section 170(c) as a recipient of a  
6 charitable contribution; and

7 (b) Reasonable precautions are taken with respect to theft or  
8 misuse of such material.

9 2. The regular and lawful transporting as merchandise; or

10 3. Acquisition by a person by operation of law such as by gift,  
11 devise or descent or in a fiduciary capacity as a recipient of the  
12 property or former property of an insolvent, incapacitated or deceased  
13 person.

14 F. Subsection A, paragraph 3 of this section shall not apply to the  
15 merchandise of an authorized manufacturer of or dealer in prohibited  
16 weapons, when such material is intended to be manufactured, possessed,  
17 transported, sold or transferred solely for or to a dealer, a regularly  
18 constituted or appointed state, county or municipal police department or  
19 police officer, a detention facility, the military service of this or  
20 another state or the United States, a museum or educational institution or  
21 a person specifically licensed or permitted pursuant to federal or state  
22 law.

23 G. Subsection A, paragraph 10 of this section shall not apply to:

24 1. Shooting ranges or shooting events, hunting areas or similar  
25 locations or activities.

26 2. A FACULTY MEMBER OR REGISTERED STUDENT OF A PUBLIC UNIVERSITY OR  
27 COMMUNITY COLLEGE WHO IS CARRYING OR TRANSPORTING A FIREARM ON THE  
28 PROPERTY OF THE PUBLIC UNIVERSITY OR COMMUNITY COLLEGE IF THE FACULTY  
29 MEMBER OR REGISTERED STUDENT POSSESSES A VALID PERMIT THAT IS ISSUED  
30 PURSUANT TO SECTION 13-3112 AND SUBMITS A REGISTRATION TO THE  
31 INSTITUTION'S ADMINISTRATION INDICATING THAT THE FACULTY MEMBER OR  
32 REGISTERED STUDENT IS ARMED AND POSSESSES A VALID PERMIT THAT IS ISSUED  
33 PURSUANT TO SECTION 13-3112.

34 H. Subsection A, paragraph 12 of this section shall not apply to a  
35 weapon if such weapon is possessed for the purposes of preparing for,  
36 conducting or participating in hunter or firearm safety courses.

37 I. Subsection A, paragraph 12 of this section shall not apply to  
38 the possession of a:

39 1. Firearm that is not loaded and that is carried within a means of  
40 transportation under the control of an adult provided that if the adult  
41 leaves the means of transportation the firearm shall not be visible from  
42 the outside of the means of transportation and the means of transportation  
43 shall be locked.

44 2. Firearm for use on the school grounds in a program approved by a  
45 school.

1           3. Firearm by a person who possesses a certificate of firearms  
2 proficiency pursuant to section 13-3112, subsection T and who is  
3 authorized to carry a concealed firearm pursuant to the law enforcement  
4 officers safety act of 2004 (P.L. 108-277; 118 Stat. 865; 18 United States  
5 Code sections 926B and 926C).

6           J. Subsection A, paragraphs 2, 3, 7 and 13 of this section shall  
7 not apply to commercial nuclear generating station armed nuclear security  
8 guards during the performance of official duties or during any security  
9 training exercises sponsored by the commercial nuclear generating station  
10 or local, state or federal authorities.

11           K. The operator of the establishment or the sponsor of the event or  
12 the employee of the operator or sponsor or the agent of the sponsor,  
13 including a public entity or public employee, is not liable for acts or  
14 omissions pursuant to subsection A, paragraph 10 of this section unless  
15 the operator, sponsor, employee or agent intended to cause injury or was  
16 grossly negligent.

17           L. If a law enforcement officer contacts a person who is in  
18 possession of a firearm, the law enforcement officer may take temporary  
19 custody of the firearm for the duration of that contact.

20           M. Misconduct involving weapons under subsection A, paragraph 15 of  
21 this section is a class 2 felony. Misconduct involving weapons under  
22 subsection A, paragraph 9, 14 or 16 of this section is a class 3 felony.  
23 Misconduct involving weapons under subsection A, paragraph 3, 4, 8 or 13  
24 of this section is a class 4 felony. Misconduct involving weapons under  
25 subsection A, paragraph 12 of this section is a class 1 misdemeanor unless  
26 the violation occurs in connection with conduct that violates section  
27 13-2308, subsection A, paragraph 5, section 13-2312, subsection C, section  
28 13-3409 or section 13-3411, in which case the offense is a class 6 felony.  
29 Misconduct involving weapons under subsection A, paragraph 1, subdivision  
30 (a) of this section or subsection A, paragraph 5, 6 or 7 of this section  
31 is a class 6 felony. Misconduct involving weapons under subsection A,  
32 paragraph 1, subdivision (b) of this section or subsection A, paragraph 10  
33 or 11 of this section is a class 1 misdemeanor. Misconduct involving  
34 weapons under subsection A, paragraph 2 of this section is a class 3  
35 misdemeanor.

36           N. For the purposes of this section:

37           1. "Contacted by a law enforcement officer" means a lawful traffic  
38 or criminal investigation, arrest or detention or an investigatory stop by  
39 a law enforcement officer that is based on reasonable suspicion that an  
40 offense has been or is about to be committed.

41           2. "Public establishment" means a structure, vehicle or craft that  
42 is owned, leased or operated by this state or a political subdivision of  
43 this state.



1           3. "Public event" means a specifically named or sponsored event of  
2 limited duration that is either conducted by a public entity or conducted  
3 by a private entity with a permit or license granted by a public entity.  
4 Public event does not include an unsponsored gathering of people in a  
5 public place.

6           4. "School" means a public or nonpublic kindergarten program,  
7 common school or high school.

8           5. "School grounds" means in, or on the grounds of, a school.