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## Juveniles; possession of dangerous weapons or narcotics~ students

The University of the Pacific, McGeorge School of Law

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**Juveniles; possession of dangerous weapons or narcotics—students**

NEV. REV. STAT. § 202.— (new); §§ 179.121, 386.360, 392.466, 396.110 (amended).

AB 346 (Gaston); 1989 STAT. Ch. 311

AB 395 (McGinness); 1989 STAT. Ch. 199

Existing law requires the suspension of a student upon the first occurrence of either a battery causing injury to a school employee or the selling of narcotics at a public school.<sup>1</sup> Chapter 199 expands the law to cover any school bus or school sponsored activity.<sup>2</sup> Under Chapters 199 and 311, any student possessing an explosive device<sup>3</sup> or dangerous weapon<sup>4</sup> at school, on a school vehicle, or at a school sponsored activity may be suspended or expelled.<sup>5</sup> In addition, the student is guilty of a gross misdemeanor.<sup>6</sup>

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1. NEV. REV. STAT. § 392.466 (1987) (amended by 1989 Nev. Stat. ch. 199, sec. 1, at \_\_\_).

2. 1989 Nev. Stat. ch. 199, sec. 1 at \_\_\_ (amending NEV. REV. STAT. § 392.466).

3. See NEV. REV. STAT. § 202.260 (1987) (definition of explosive or incendiary device).

4. See 1989 Nev. Stat. ch. 199, sec. 1, at \_\_\_ (amending NEV. REV. STAT. § 392.466) (definition of dangerous weapon). See also NEV. REV. STAT. § 202.350 (1987) (types of knives that constitute dangerous weapons).

5. 1989 Nev. Stat. ch. 311, sec. 1, at \_\_\_ (enacting NEV. REV. STAT. § 202.—) (includes any campus of the University of Nevada system and any public or private school). See *id.* ch. 199, sec. 1, at \_\_\_ (amending NEV. REV. STAT. § 392.466) (second violation requires permanent expulsion or transfer to a different type of school), sec. 4, at \_\_\_ (amending NEV. REV. STAT. § 392.466) (the board of trustees must approve the suspension or expulsion of students in programs for the emotionally and mentally impaired). This section may refer to federally enacted requirements for state agencies that receive federal funds. 20 U.S.C.S. § 1415 (Law. Co-op. 1989 & Supp. 1989). See also NEV. REV. STAT. § 386.360 (1987) (amended by 1989 Nev. Stat. ch. 311, sec. 3, at \_\_\_) (the board of trustees will establish rules allowing for the possession of a dangerous weapon under certain circumstances).

6. 1989 Nev. Stat. ch. 311, sec. 1, at \_\_\_ (enacting NEV. REV. STAT. § 202.—) (peace officers, security guards, and persons with written permission are excluded).