

AMENDMENT TO H.R. 1501
OFFERED BY MR. ROGAN OF CALIFORNIA

At the end of the bill, add the following (and make such technical and conforming changes as may be appropriate):

1 SEC. 3. SAFE SCHOOLS.

2 (a) AMENDMENTS.—Part F of title XIV of the Ele-
3 mentary and Secondary Education Act of 1965 (20 U.S.C.
4 8921 et seq.) is amended as follows:

5 (1) SHORT TITLE.—Section 14601(a) is amend-
6 ed by striking “Gun-Free Schools Act of 1994” and
7 inserting “Safe Schools Act of 1999”.

8 (2) REQUIREMENTS.—Section 14601(b)(1) is
9 amended by inserting after “determined” the follow-
10 ing: “to be in possession of felonious quantities of an
11 illegal drug, on school property under the jurisdic-
12 tion of, or in a vehicle operated by an employee or
13 agent of, a local educational agency in that State,
14 or”.

15 (3) DEFINITIONS.—Section 14601(b)(4) is
16 amended to read as follows: “For purposes of this
17 part—

1 “(A) the term “1 weapon” means a fire-
2 arm as such term is defined in section 921 of
3 title 18, United States Code;

4 “(B) the term ‘illegal drug’ means a con-
5 trolled substance, as defined in section 102(6)
6 of the Controlled Substances Act (21 U.S.C.
7 802(6)), the possession of which is unlawful
8 under the Act (21 U.S.C. 801 et seq.) or under
9 the Controlled Substances Import and Export
10 Act (21 U.S.C. 951 et seq.), but does not mean
11 a controlled substance used pursuant to a valid
12 prescription or as authorized by law; and

13 “(C) the term ‘illegal drug paraphernalia’
14 means drug paraphernalia, as defined in section
15 422(d) of the Controlled Substances Act (21
16 U.S.C. 863(d)), except that the first sentence of
17 that section shall be applied by inserting ‘or
18 under the Controlled Substances Import and
19 Export Act (21 U.S.C. 951 et seq.)’, before the
20 period; and

21 “(D) the term ‘felonious quantities of an
22 illegal drug’ means any quantity of an illegal
23 drug—

24 “(i) possession of which quantity
25 would, under Federal, State, or local law,

1 either constitute a felony or indicate an in-
2 tent to distribute; or

3 “(ii) that is possessed with an intent
4 to distribute.”.

5 (4) REPORT TO STATE.—Section
6 14601(d)(2)(C) is amended by inserting “illegal
7 drugs or” before “weapons”.

8 (5) REPEALER.—Section 14601 is amend-
9 ed by striking subsection (f).

10 (6) POLICY REGARDING CRIMINAL JUSTICE
11 SYSTEM REFERRAL.—Section 14602(a) is
12 amended by—

13 (1) striking “served by” and inserting “under
14 the jurisdiction of”; and

15 (2) by inserting after “who” the following: “is
16 in possession of an illegal drug, or illegal drug para-
17 phernalia, on school property under the jurisdiction
18 of, or in a vehicle operated by an employee or agent
19 of, such agency, or who”.

20 (7) DATA AND POLICY DISSEMINATION
21 UNDER IDEA.—Section 14603 is amended—

22 (1) in paragraph (1), by inserting “current” be-
23 fore “policy”;

24 (2) in paragraph (2)—

1 (A) by inserting before “engaging” the fol-
2 lowing “possessing illegal drugs, or illegal drug
3 paraphernalia, on school property, or in vehicles
4 operated by employees or agents of, schools or
5 local educational agencies, or”; and

6 (B) by striking “; and” and inserting a pe-
7 riod; and

8 (3) by striking paragraph (3).

9 (b) COMPLIANCE DATE; REPORTING.—(1) States
10 shall have 2 years from the date of enactment of this Act
11 to comply with the requirements established in the amend-
12 ments made by subsection (a).

13 (2) Not later than 3 years after the date of enactment
14 of this Act, the Secretary of Education shall submit to
15 Congress a report on any State that is not in compliance
16 with the requirements of this part.

17 (3) Not later than 2 years after the date of enactment
18 of this Act, the Secretary of Education shall submit to
19 Congress a report analyzing the strengths and weaknesses
20 of approaches regarding the disciplining of children with
21 disabilities.