

104TH CONGRESS  
2D SESSION

# S. 2140

To limit the use of the exclusionary rule in school disciplinary proceedings.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 1996

Mr. DORGAN (for himself, Mrs. FEINSTEIN, Mr. EXON, and Mr. D'AMATO)  
introduced the following bill; which was read twice and referred to the  
Committee on the Judiciary

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## A BILL

To limit the use of the exclusionary rule in school disciplinary  
proceedings.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Safer Schools Act of  
5       1996”.

6       **SEC 2. SAFER SCHOOLS.**

7       (a) IN GENERAL.—Section 14601(b)(1) of the Gun-  
8       Free Schools Act of 1994 (20 U.S.C. 8921(b)(1)) is  
9       amended—

1 (1) by striking “under this Act shall have” and  
 2 inserting the following: “under this Act—

3 “(A) shall have”;

4 (2) by striking the period at the end and insert-  
 5 ing “; and”; and

6 (3) by adding at the end the following:

7 “(B) beginning not later than 2 years after  
 8 the date of enactment of the Safer Schools Act  
 9 of 1996, shall have in effect a State law or reg-  
 10 ulation providing that evidence that a student  
 11 brought a weapon to a school under the juris-  
 12 diction of the local educational agencies in that  
 13 State, that is obtained as a result of a search  
 14 or seizure conducted on school premises, shall  
 15 not be excluded in any school disciplinary pro-  
 16 ceeding on the ground that the search or sei-  
 17 zure was in violation of the fourth amendment  
 18 to the Constitution of the United States.”.

19 (b) REPORT TO STATE.—Section 14601(d) of the  
 20 Gun-Free Schools Act of 1994 (20 U.S.C. 8921(d)) is  
 21 amended—

22 (1) in paragraph (1), by striking “the State law  
 23 required by” and inserting “each State law or regu-  
 24 lation”; and

1           (2) in paragraph (2), by striking “subsection  
2       (b)” and inserting “subsection (b)(1)(A)”.

3       (c) REPORT TO CONGRESS.—Section 14601(f) of the  
4 Gun-Free Schools Act of 1994 (20 U.S.C. 8921(f)) is  
5 amended by inserting “of subsection (b)(1)(A)” before “of  
6 this”.

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