CERTIFICATION OF ENROLLMENT

**ENGROSSED SUBSTITUTE SENATE BILL 5434**

Chapter 189, Laws of 2020

66th Legislature

2020 Regular Session

POSSESSION OF WEAPONS--CHILD CARE

EFFECTIVE DATE: June 11, 2020

|  |  |
| --- | --- |
| Passed by the Senate March 9, 2020Yeas 27 Nays 21CYRUS HABIB**President of the Senate**Passed by the House March 3, 2020Yeas 56 Nays 40LAURIE JINKINS**Speaker of the House of Representatives** | CERTIFICATEI, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5434** as passed by the Senate and the House of Representatives on the dates hereon set forth.BRAD HENDRICKSONSecretary |
| Approved March 27, 2020 2:31 PM | March 27, 2020 |
| JAY INSLEE**Governor of the State of Washington** | **Secretary of State** **State of Washington** |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ENGROSSED SUBSTITUTE SENATE BILL 5434**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

AS AMENDED BY THE HOUSE

Passed Legislature - 2020 Regular Session

**State of Washington 66th Legislature 2019 Regular Session**

**By** Senate Law & Justice (originally sponsored by Senators Wilson, C., Hunt, Keiser, Kuderer, Nguyen, and Pedersen)

AN ACT Relating to restricting possession of weapons in certain locations; adding a new section to chapter 9.41 RCW; adding new sections to chapter 43.216 RCW; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 9.41 RCW to read as follows:

(1) It is unlawful for a person to carry onto, or to possess on, licensed child care center premises, child care center-provided transportation, or areas of facilities while being used exclusively by a child care center:

(a) Any firearm;

(b) Any other dangerous weapon as described in RCW 9.41.250;

(c) Any air gun, including any air pistol or air rifle, designed to propel a BB, pellet, or other projectile by the discharge of compressed air, carbon dioxide, or other gas; or

(d)(i) Any portable device manufactured to function as a weapon and which is commonly known as a stun gun, including a projectile stun gun that projects wired probes that are attached to the device that emit an electrical charge designed to administer to a person or an animal an electric shock, charge, or impulse; or

(ii) Any device, object, or instrument that is used or intended to be used as a weapon with the intent to injure a person by an electric shock, charge, or impulse.

(2) A person who violates subsection (1) of this section is guilty of a gross misdemeanor. If a person is convicted of a violation of subsection (1)(a) of this section, the person shall have his or her concealed pistol license, if any, revoked for a period of three years. Anyone convicted under subsection (1)(a) of this section is prohibited from applying for a concealed pistol license for a period of three years from the date of conviction. The court shall order the person to immediately surrender any concealed pistol license, and within three business days notify the department of licensing in writing of the required revocation of any concealed pistol license held by the person. Upon receipt of the notification by the court, the department of licensing shall determine if the person has a concealed pistol license. If the person does have a concealed pistol license, the department of licensing shall immediately notify the license-issuing authority which, upon receipt of the notification, shall immediately revoke the license.

(3) Subsection (1) of this section does not apply to:

(a) Family day care provider homes as defined in RCW 43.216.010;

(b) Any person in possession of a pistol who has been issued a license under RCW 9.41.070, or is exempt from the licensing requirement by RCW 9.41.060, while picking up or dropping off a child at the child care center;

(c) Any person at least eighteen years of age legally in possession of a firearm or dangerous weapon that is secured within an attended vehicle or concealed from view within a locked unattended vehicle while conducting legitimate business at the child care center; or

(d) Any law enforcement officer of a federal, state, or local government agency.

(4) Child care centers must post "GUN-FREE ZONE" signs giving warning of the prohibition of the possession of firearms on center premises.

(5) A child care center that is located on public or private elementary or secondary school premises is subject to the requirements of RCW 9.41.280.

(6) For the purposes of this section, child care center has the same meaning as "child day care center" as defined in RCW 43.216.010.

NEW SECTION. **Sec.**  A new section is added to chapter 43.216 RCW to read as follows:

(1) Every child day care center and early childhood education and assistance program provider is subject to section 1 of this act.

(2)(a) A family day care provider must store any firearm, ammunition, or other dangerous weapon as described in RCW 9.41.250 in a secure area when children for whom the family day care provider is licensed to provide care are present on the premises.

(b) The secure area must be inaccessible to children and must consist of a locked gun safe or a locked room. If stored in a locked room, each firearm must be stored unloaded and with a trigger lock or other disabling feature.

(3) The department may deny, suspend, revoke, modify or not renew the license of a child care provider in violation of this section.

NEW SECTION. **Sec.**  A new section is added to chapter 43.216 RCW to read as follows:

The department must adopt rules to implement sections 1 and 2 of this act.

**--- END ---**

Passed by the Senate March 9, 2020.

Passed by the House March 3, 2020.

Approved by the Governor March 27, 2020.

Filed in Office of Secretary of State March 27, 2020.