

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1630

67th Legislature
2022 Regular Session

Passed by the House March 7, 2022
Yeas 57 Nays 41

**Speaker of the House of
Representatives**

Passed by the Senate March 1, 2022
Yeas 28 Nays 20

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1630** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1630

AS AMENDED BY THE SENATE

Passed Legislature - 2022 Regular Session

State of Washington **67th Legislature** **2022 Regular Session**

By House Civil Rights & Judiciary (originally sponsored by Representatives Senn, Berg, Ryu, Berry, Wicks, Bateman, Ramel, Fitzgibbon, Sells, Walen, Valdez, Callan, Cody, Davis, Goodman, Taylor, Macri, Peterson, Ramos, Santos, Slatter, Bergquist, Tharinger, Kloba, Pollet, Harris-Talley, Hackney, and Frame)

READ FIRST TIME 01/25/22.

1 AN ACT Relating to establishing restrictions on the possession of
2 weapons in certain locations; amending RCW 9.41.280 and 9.41.305;
3 reenacting RCW 9.41.280; adding a new section to chapter 9.41 RCW;
4 prescribing penalties; and providing a contingent effective date.

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

6 **Sec. 1.** RCW 9.41.280 and 2019 c 325 s 5001 are each amended to
7 read as follows:

8 (1) It is unlawful for a person to knowingly carry onto, or to
9 possess on, public or private elementary or secondary school
10 premises, school-provided transportation, ~~((or))~~ areas of facilities
11 while being used exclusively by public or private schools, or areas
12 of facilities while being used for official meetings of a school
13 district board of directors:

- 14 (a) Any firearm;
- 15 (b) Any other dangerous weapon as defined in RCW 9.41.250;
- 16 (c) Any device commonly known as "nun-chu-ka sticks," consisting
17 of two or more lengths of wood, metal, plastic, or similar substance
18 connected with wire, rope, or other means;
- 19 (d) Any device, commonly known as "throwing stars," which are
20 multipointed, metal objects designed to embed upon impact from any
21 aspect;

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

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

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

12 (2) Any such person violating subsection (1) of this section is
13 guilty of a (~~gross~~) misdemeanor. Second and subsequent violations
14 of subsection (1) of this section are a gross misdemeanor. If any
15 person is convicted of a violation of subsection (1)(a) of this
16 section, the person shall have his or her concealed pistol license,
17 if any revoked for a period of three years. Anyone convicted under
18 this subsection is prohibited from applying for a concealed pistol
19 license for a period of three years. The court shall send notice of
20 the revocation to the department of licensing, and the city, town, or
21 county which issued the license.

22 Any violation of subsection (1) of this section by elementary or
23 secondary school students constitutes grounds for expulsion from the
24 state's public schools in accordance with RCW 28A.600.010. An
25 appropriate school authority shall promptly notify law enforcement
26 and the student's parent or guardian regarding any allegation or
27 indication of such violation.

28 Upon the arrest of a person at least twelve years of age and not
29 more than twenty-one years of age for violating subsection (1)(a) of
30 this section, the person shall be detained or confined in a juvenile
31 or adult facility for up to seventy-two hours. The person shall not
32 be released within the seventy-two hours until after the person has
33 been examined and evaluated by the designated crisis responder unless
34 the court in its discretion releases the person sooner after a
35 determination regarding probable cause or on probation bond or bail.

36 Within twenty-four hours of the arrest, the arresting law
37 enforcement agency shall refer the person to the designated crisis
38 responder for examination and evaluation under chapter 71.05 or 71.34
39 RCW and inform a parent or guardian of the person of the arrest,
40 detention, and examination. The designated crisis responder shall

1 examine and evaluate the person subject to the provisions of chapter
2 71.05 or 71.34 RCW. The examination shall occur at the facility in
3 which the person is detained or confined. If the person has been
4 released on probation, bond, or bail, the examination shall occur
5 wherever is appropriate.

6 Upon completion of any examination by the designated crisis
7 responder, the results of the examination shall be sent to the court,
8 and the court shall consider those results in making any
9 determination about the person.

10 The designated crisis responder shall, to the extent permitted by
11 law, notify a parent or guardian of the person that an examination
12 and evaluation has taken place and the results of the examination.
13 Nothing in this subsection prohibits the delivery of additional,
14 appropriate mental health examinations to the person while the person
15 is detained or confined.

16 If the designated crisis responder determines it is appropriate,
17 the designated crisis responder may refer the person to the local
18 behavioral health administrative services organization for follow-up
19 services or other community providers for other services to the
20 family and individual.

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

22 (a) Any student or employee of a private military academy when on
23 the property of the academy;

24 (b) Any person engaged in military, law enforcement, or school
25 district security activities. However, a person who is not a
26 commissioned law enforcement officer and who provides school security
27 services under the direction of a school administrator may not
28 possess a device listed in subsection (1)(f) of this section unless
29 he or she has successfully completed training in the use of such
30 devices that is equivalent to the training received by commissioned
31 law enforcement officers;

32 (c) Any person who is involved in a convention, showing,
33 demonstration, lecture, or firearms safety course authorized by
34 school authorities in which the firearms of collectors or instructors
35 are handled or displayed;

36 (d) Any person while the person is participating in a firearms or
37 air gun competition approved by the school or school district;

38 (e) Any person in possession of a pistol who has been issued a
39 license under RCW 9.41.070, or is exempt from the licensing
40 requirement by RCW 9.41.060, while (~~picking~~):

1 (i) Picking up or dropping off a student; or
2 (ii) Attending official meetings of a school district board of
3 directors held off school district-owned or leased property;

4 (f) Any nonstudent at least eighteen years of age legally in
5 possession of a firearm or dangerous weapon that is secured within an
6 attended vehicle or concealed from view within a locked unattended
7 vehicle while conducting legitimate business at the school;

8 (g) Any nonstudent at least eighteen years of age who is in
9 lawful possession of an unloaded firearm, secured in a vehicle while
10 conducting legitimate business at the school; or

11 (h) Any law enforcement officer of the federal, state, or local
12 government agency.

13 (4) Subsections (1)(c) and (d) of this section do not apply to
14 any person who possesses nun-chu-ka sticks, throwing stars, or other
15 dangerous weapons to be used in martial arts classes authorized to be
16 conducted on the school premises.

17 (5) Subsection (1)(f)(i) of this section does not apply to any
18 person who possesses a device listed in subsection (1)(f)(i) of this
19 section, if the device is possessed and used solely for the purpose
20 approved by a school for use in a school authorized event, lecture,
21 or activity conducted on the school premises.

22 (6) Except as provided in subsection (3)(b), (c), (f), and (h) of
23 this section, firearms are not permitted in a public or private
24 school building.

25 (7) "GUN-FREE ZONE" signs shall be posted around school
26 facilities giving warning of the prohibition of the possession of
27 firearms on school grounds.

28 (8) A school district board of directors must post signs
29 providing notice of the restrictions on possession of firearms and
30 other weapons under this section at facilities being used for
31 official meetings of the school district board of directors.

32 **Sec. 2.** RCW 9.41.305 and 2021 c 261 s 2 are each amended to read
33 as follows:

34 (1) Unless exempt under subsection (~~((4))~~) (3) of this section,
35 it is unlawful for any person to knowingly open carry a firearm or
36 other weapon, as defined in RCW 9.41.300(1)(b), while knowingly being
37 in the following locations:

38 (a) The west state capitol campus grounds; any buildings on the
39 state capitol grounds; any state legislative office; or any location

1 of a public state legislative hearing or meeting during the hearing
2 or meeting; or

3 (b) City, town, county, or other municipality buildings used in
4 connection with meetings of the governing body of the city, town,
5 county, or other municipality, or any location of a public meeting or
6 hearing of the governing body of a city, town, county, or other
7 municipality during the hearing or meeting.

8 (2) For the purposes of this section:

9 (a) "Buildings on the state capitol grounds" means the following
10 buildings located on the state capitol grounds, commonly known as
11 Legislative, Temple of Justice, John L. O'Brien, John A. Cherberg,
12 Irving R. Newhouse, Joel M. Pritchard, Helen Sommers, Insurance,
13 Governor's Mansion, Visitor Information Center, Carlyon House, Ayer
14 House, General Administration, 1500 Jefferson, James M. Dolliver, Old
15 Capitol, Capitol Court, State Archives, Natural Resources, Office
16 Building #2, Highway-License, Transportation, Employment Security,
17 Child Care Center, Union Avenue, Washington Street, Professional
18 Arts, State Farm, and Powerhouse Buildings.

19 ~~((3))~~ (b) "Governing body" has the same meaning as in RCW
20 42.30.020.

21 (c) "West state capitol campus grounds" means areas of the campus
22 south of Powerhouse Rd. SW, south of Union Avenue SW as extended
23 westward to Powerhouse Rd. SW, west of Capitol Way, north of 15th
24 Avenue SW between Capitol Way S. and Water Street SW, west of Water
25 Street between 15th Avenue SW and 16th Avenue SW, north of 16th
26 Avenue SW between Water Street SW and the east banks of Capitol Lake,
27 and east of the banks of Capitol Lake.

28 ~~((4))~~ (3) Duly authorized federal, state, or local law
29 enforcement officers or personnel are exempt from this section when
30 carrying a firearm or other weapon in conformance with their
31 employing agency's policy. Members of the armed forces of the United
32 States or the state of Washington are exempt from this section when
33 carrying a firearm or other weapon in the discharge of official duty
34 or traveling to or from official duty.

35 ~~((5))~~ (4) A person violating this section is guilty of a
36 ~~((gross))~~ misdemeanor. Second and subsequent violations of this
37 section are a gross misdemeanor.

38 ~~((6))~~ (5) Nothing in this section applies to the lawful
39 concealed carry of a firearm by a person who has a valid concealed
40 pistol license.

1 (6) A city, town, county, or other municipality must post signs
2 providing notice of the restrictions on possession of firearms and
3 other weapons under this section at any locations specified in
4 subsection (1)(b) of this section.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 9.41 RCW
6 to read as follows:

7 (1) Except as provided in subsections (3) and (4) of this
8 section, it is unlawful for a person to knowingly carry onto, or to
9 possess in, a ballot counting center, a voting center, a student
10 engagement hub, or the county elections and voter registration
11 office, or areas of facilities while being used as a ballot counting
12 center, a voting center, a student engagement hub, or the county
13 elections and voter registration office:

14 (a) Any firearm;

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

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

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

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

27 (e) Any spring blade knife as defined in RCW 9.41.250.

28 (2) A person who violates subsection (1) of this section is
29 guilty of a misdemeanor. Second and subsequent violations of this
30 section are a gross misdemeanor. If a person is convicted of a
31 violation of subsection (1)(a) of this section, the person shall have
32 his or her concealed pistol license, if any, revoked for a period of
33 three years. Anyone convicted under subsection (1)(a) of this section
34 is prohibited from applying for a concealed pistol license for a
35 period of three years from the date of conviction. The court shall
36 order the person to immediately surrender any concealed pistol
37 license, and within three business days notify the department of
38 licensing in writing of the required revocation of any concealed
39 pistol license held by the person. Upon receipt of the notification

1 by the court, the department of licensing shall determine if the
2 person has a concealed pistol license. If the person does have a
3 concealed pistol license, the department of licensing shall
4 immediately notify the license-issuing authority which, upon receipt
5 of the notification, shall immediately revoke the license.

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

7 (a) Any law enforcement officer of a federal, state, or local
8 government agency; or

9 (b) Any security personnel hired by a county and engaged in
10 security specifically for a counting center, a voting center, a
11 student engagement hub, or the county elections and voter
12 registration office or areas of facilities used for such purposes.
13 However, a person who is not a commissioned law enforcement officer
14 and who provides elections and voter registration security services
15 under the direction of a county may not possess a firearm or device
16 listed in subsection (1)(d) of this section unless he or she has
17 successfully completed training in the use of firearms or such
18 devices that is equivalent to the training received by commissioned
19 law enforcement officers.

20 (4) Subsection (1) of this section does not prohibit concealed
21 carry of a pistol, by a person licensed to carry a concealed pistol
22 pursuant to RCW 9.41.070, in any voting center, student engagement
23 hub, county elections and voter registration office, or areas of
24 facilities while being used as a voting center, student engagement
25 hub, or county elections and voter registration office. However, no
26 weapon restricted by this section, whether concealed or openly
27 carried, may be possessed in any ballot counting center or areas of
28 facilities while being used as a ballot counting center.

29 (5) Elections officers and officials must post signs providing
30 notice of the restriction on possession of firearms and other weapons
31 at each counting center, voting center, student engagement hub, or
32 county elections and voter registration office, or areas of
33 facilities while being used as a counting center, a voting center, a
34 student engagement hub, or the county elections and voter
35 registration office.

36 (6) For the purposes of this section:

37 (a) "Ballot counting center" has the same meaning as "counting
38 center" in RCW 29A.04.019;

39 (b) "Voting center" means a voting center as described in RCW
40 29A.40.160; and

1 (c) "Student engagement hub" means a student engagement hub as
2 described in RCW 29A.40.180.

3 **Sec. 4.** RCW 9.41.280 and 2022 c . . . s 1 (section 1 of this
4 act) and 2022 c . . . (Substitute House Bill No. 1224) s 2 are each
5 reenacted to read as follows:

6 (1) It is unlawful for a person to knowingly carry onto, or to
7 possess on, public or private elementary or secondary school
8 premises, school-provided transportation, areas of facilities while
9 being used exclusively by public or private schools, or areas of
10 facilities while being used for official meetings of a school
11 district board of directors:

12 (a) Any firearm;

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

14 (c) Any device commonly known as "nun-chu-ka sticks," consisting
15 of two or more lengths of wood, metal, plastic, or similar substance
16 connected with wire, rope, or other means;

17 (d) Any device, commonly known as "throwing stars," which are
18 multipointed, metal objects designed to embed upon impact from any
19 aspect;

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

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

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

31 (g) Any spring blade knife as defined in RCW 9.41.250.

32 (2) Any such person violating subsection (1) of this section is
33 guilty of a misdemeanor. Second and subsequent violations of
34 subsection (1) of this section are a gross misdemeanor. If any person
35 is convicted of a violation of subsection (1)(a) of this section, the
36 person shall have his or her concealed pistol license, if any revoked
37 for a period of three years. Anyone convicted under this subsection
38 is prohibited from applying for a concealed pistol license for a
39 period of three years. The court shall send notice of the revocation

1 to the department of licensing, and the city, town, or county which
2 issued the license.

3 Any violation of subsection (1) of this section by elementary or
4 secondary school students constitutes grounds for expulsion from the
5 state's public schools in accordance with RCW 28A.600.010. An
6 appropriate school authority shall promptly notify law enforcement
7 and the student's parent or guardian regarding any allegation or
8 indication of such violation.

9 Upon the arrest of a person at least 12 years of age and not more
10 than 21 years of age for violating subsection (1)(a) of this section,
11 the person shall be detained or confined in a juvenile or adult
12 facility for up to 72 hours. The person shall not be released within
13 the 72 hours until after the person has been examined and evaluated
14 by the designated crisis responder unless the court in its discretion
15 releases the person sooner after a determination regarding probable
16 cause or on probation bond or bail.

17 Within 24 hours of the arrest, the arresting law enforcement
18 agency shall refer the person to the designated crisis responder for
19 examination and evaluation under chapter 71.05 or 71.34 RCW and
20 inform a parent or guardian of the person of the arrest, detention,
21 and examination. The designated crisis responder shall examine and
22 evaluate the person subject to the provisions of chapter 71.05 or
23 71.34 RCW. The examination shall occur at the facility in which the
24 person is detained or confined. If the person has been released on
25 probation, bond, or bail, the examination shall occur wherever is
26 appropriate.

27 Upon completion of any examination by the designated crisis
28 responder, the results of the examination shall be sent to the court,
29 and the court shall consider those results in making any
30 determination about the person.

31 The designated crisis responder shall, to the extent permitted by
32 law, notify a parent or guardian of the person that an examination
33 and evaluation has taken place and the results of the examination.
34 Nothing in this subsection prohibits the delivery of additional,
35 appropriate mental health examinations to the person while the person
36 is detained or confined.

37 If the designated crisis responder determines it is appropriate,
38 the designated crisis responder may refer the person to the local
39 behavioral health administrative services organization for follow-up

1 services or the health care authority or other community providers
2 for other services to the family and individual.

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

4 (a) Any student or employee of a private military academy when on
5 the property of the academy;

6 (b) Any person engaged in military, law enforcement, or school
7 district security activities. However, a person who is not a
8 commissioned law enforcement officer and who provides school security
9 services under the direction of a school administrator may not
10 possess a device listed in subsection (1)(f) of this section unless
11 he or she has successfully completed training in the use of such
12 devices that is equivalent to the training received by commissioned
13 law enforcement officers;

14 (c) Any person who is involved in a convention, showing,
15 demonstration, lecture, or firearms safety course authorized by
16 school authorities in which the firearms of collectors or instructors
17 are handled or displayed;

18 (d) Any person while the person is participating in a firearms or
19 air gun competition approved by the school or school district;

20 (e) Any person in possession of a pistol who has been issued a
21 license under RCW 9.41.070, or is exempt from the licensing
22 requirement by RCW 9.41.060, while:

23 (i) Picking up or dropping off a student; or

24 (ii) Attending official meetings of a school district board of
25 directors held off school district-owned or leased property;

26 (f) Any nonstudent at least 18 years of age legally in possession
27 of a firearm or dangerous weapon that is secured within an attended
28 vehicle or concealed from view within a locked unattended vehicle
29 while conducting legitimate business at the school;

30 (g) Any nonstudent at least 18 years of age who is in lawful
31 possession of an unloaded firearm, secured in a vehicle while
32 conducting legitimate business at the school; or

33 (h) Any law enforcement officer of the federal, state, or local
34 government agency.

35 (4) Subsections (1)(c) and (d) of this section do not apply to
36 any person who possesses nun-chu-ka sticks, throwing stars, or other
37 dangerous weapons to be used in martial arts classes authorized to be
38 conducted on the school premises.

39 (5) Subsection (1)(f)(i) of this section does not apply to any
40 person who possesses a device listed in subsection (1)(f)(i) of this

1 section, if the device is possessed and used solely for the purpose
2 approved by a school for use in a school authorized event, lecture,
3 or activity conducted on the school premises.

4 (6) Except as provided in subsection (3)(b), (c), (f), and (h) of
5 this section, firearms are not permitted in a public or private
6 school building.

7 (7) "GUN-FREE ZONE" signs shall be posted around school
8 facilities giving warning of the prohibition of the possession of
9 firearms on school grounds.

10 (8) A school district board of directors must post signs
11 providing notice of the restrictions on possession of firearms and
12 other weapons under this section at facilities being used for
13 official meetings of the school district board of directors.

14 NEW SECTION. **Sec. 5.** Section 4 of this act takes effect July 1,
15 2022. Section 4 of this act takes effect only if Substitute House
16 Bill No. 1224 is enacted into law by the effective date of this
17 section.

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