

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE HOUSE BILL 1059**

Chapter 396, Laws of 1993

53rd Legislature  
1993 Regular Session

WEAPONS POSSESSION IN COURT FACILITIES RESTRICTED

EFFECTIVE DATE: 7/25/93

Passed by the House April 19, 1993  
Yeas 96 Nays 0

BRIAN EBERSOLE  
**Speaker of the  
House of Representatives**

Passed by the Senate April 8, 1993  
Yeas 40 Nays 2

JOEL PRITCHARD  
**President of the Senate**

Approved May 15, 1993

MIKE LOWRY  
**Governor of the State of Washington**

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1059** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON  
**Chief Clerk**

FILED

May 15, 1993 - 1:11 p.m.

**Secretary of State  
State of Washington**

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ENGROSSED SUBSTITUTE HOUSE BILL 1059

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AS AMENDED BY THE SENATE

Passed Legislature - 1993 Regular Session

State of Washington                      53rd Legislature                      1993 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Franklin, Scott, Anderson, R. Fisher, Thibaudeau, Ludwig, Pruitt, Jacobsen, Flemming, J. Kohl, Wineberry, Riley, G. Cole, Forner, Appelwick, Johanson, Karahalios and Wang)

Read first time 02/26/93.

1            AN ACT Relating to the possession of weapons in court facilities;  
2 amending RCW 9.41.300; and prescribing penalties.

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

4            **Sec. 1.** RCW 9.41.300 and 1985 c 428 s 2 are each amended to read  
5 as follows:

6            (1) It is unlawful for any person to enter the following places  
7 when he or she knowingly possesses or knowingly has under his or her  
8 control a (~~firearm~~) weapon:

9            (a) The restricted access areas of a jail, or of a law enforcement  
10 facility, or any place used for the confinement of a person (i)  
11 arrested for, charged with, or convicted of an offense, (ii) charged  
12 with being or adjudicated to be a juvenile offender as defined in RCW  
13 13.40.020, (iii) held for extradition or as a material witness, or (iv)  
14 otherwise confined pursuant to an order of a court, except an order  
15 under chapter 13.32A or 13.34 RCW. Restricted access areas do not  
16 include common areas of egress or ingress open to the general public;

17            (b) (~~A courtroom or judge's chamber, while either is being used~~  
18 ~~for any judicial proceeding. This does not include common areas of~~  
19 ~~egress and ingress of the courthouse~~) Those areas in any building

1 which are used in connection with court proceedings, including  
2 courtrooms, jury rooms, judge's chambers, offices and areas used to  
3 conduct court business, waiting areas, and corridors adjacent to areas  
4 used in connection with court proceedings. The restricted areas do not  
5 include common areas of ingress and egress to the building that is used  
6 in connection with court proceedings, when it is possible to protect  
7 court areas without restricting ingress and egress to the building.  
8 The restricted areas shall be the minimum necessary to fulfill the  
9 objective of this subsection (1)(b).

10 In addition, the local legislative authority shall provide either  
11 a stationary locked box sufficient in size for short firearms and key  
12 to a weapon owner for weapon storage, or shall designate an official to  
13 receive weapons for safekeeping, during the owner's visit to restricted  
14 areas of the building. The locked box or designated official shall be  
15 located within the same building used in connection with court  
16 proceedings. The local legislative authority shall be liable for any  
17 negligence causing damage to or loss of a weapon either placed in a  
18 locked box or left with an official during the owner's visit to  
19 restricted areas of the building.

20 The local judicial authority shall designate and clearly mark those  
21 areas where weapons are prohibited, and shall post notices at each  
22 entrance to the building of the prohibition against weapons in the  
23 restricted areas;

24 (c) The restricted access areas of a public mental health facility  
25 certified by the department of social and health services for inpatient  
26 hospital care and state institutions for the care of the mentally ill,  
27 excluding those facilities solely for evaluation and treatment.  
28 Restricted access areas do not include common areas of egress and  
29 ingress open to the general public; or

30 (d) That portion of an establishment classified by the state liquor  
31 control board as off-limits to persons under twenty-one years of age.

32 (2) Notwithstanding RCW 9.41.290, cities, towns, counties, and  
33 other municipalities may enact laws and ordinances:

34 (a) Restricting the discharge of firearms in any portion of their  
35 respective jurisdictions where there is a reasonable likelihood that  
36 humans, domestic animals, or property will be jeopardized. Such laws  
37 and ordinances shall not abridge the right of the individual guaranteed  
38 by Article I, section 24 of the state Constitution to bear arms in  
39 defense of self or others; and

1 (b) Restricting the possession of firearms in any stadium or  
2 convention center, operated by a city, town, county, or other  
3 municipality, except that such restrictions shall not apply to:

4 (i) Any firearm in the possession of a person licensed under RCW  
5 9.41.070; or

6 (ii) Any showing, demonstration, or lecture involving the  
7 exhibition of firearms.

8 (3) The perimeter of the premises of any specific location covered  
9 by subsection (1) of this section shall be posted at reasonable  
10 intervals to alert the public as to the existence of any law  
11 restricting the possession of firearms on the premises.

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

13 (a) A person engaged in military activities sponsored by the  
14 federal or state governments, while engaged in official duties;

15 (b) Law enforcement personnel; or

16 (c) Security personnel while engaged in official duties.

17 (5) Subsection (1)(a) of this section does not apply to a person  
18 licensed pursuant to RCW 9.41.070 who, upon entering the place or  
19 facility, directly and promptly proceeds to the administrator of the  
20 facility or the administrator's designee and obtains written permission  
21 to possess the firearm while on the premises or checks his or her  
22 firearm. The person may reclaim the firearms upon leaving but must  
23 immediately and directly depart from the place or facility.

24 ~~(6) ((Subsection (1)(b) of this section does not apply to a judge  
25 or court employee or to any person licensed under RCW 9.41.070 who,  
26 before entering the restricted area, directly and promptly proceeds to  
27 the court administrator or the administrator's designee and obtains  
28 written permission to possess the firearm.~~

29 ~~(7))~~ Subsection (1)(c) of this section does not apply to any  
30 administrator or employee of the facility or to any person who, upon  
31 entering the place or facility, directly and promptly proceeds to the  
32 administrator of the facility or the administrator's designee and  
33 obtains written permission to possess the firearm while on the  
34 premises.

35 ~~((8))~~ (7) Subsection (1)(d) of this section does not apply to the  
36 proprietor of the premises or his or her employees while engaged in  
37 their employment.

38 ~~((9))~~ (8) Any person violating subsection (1) of this section is  
39 guilty of a misdemeanor.

1        (9) "Weapon" as used in this section means any firearm, explosive  
2 as defined in RCW 70.74.010, or instrument or weapon listed in RCW  
3 9.41.250.

Passed the House April 19, 1993.

Passed the Senate April 8, 1993.

Approved by the Governor May 15, 1993.

Filed in Office of Secretary of State May 15, 1993.