

# HOUSE BILL REPORT

## SSB 5140

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### As Passed House:

February 27, 1996

**Title:** An act relating to drug-free zones in publicly owned or publicly operated civic centers.

**Brief Description:** Authorizing municipalities to declare certain public places drug-free zones.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Kohl, Smith, Winsley, Pelz, Roach, Prentice, Schow, Heavey, McAuliffe, C. Anderson, Fairley, Sheldon, Prince, West, Haugen, Bauer, Oke and Palmer).

### Brief History:

#### Committee Activity:

Law & Justice: 2/14/96, 2/23/96 [DP].

#### Floor Activity:

Passed House: 2/27/96, 98-0.

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## HOUSE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass. Signed by 15 members: Representatives Sheahan, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Dellwo, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Carrell; Chappell; Cody; Lambert; McMahan; Morris; Robertson; Smith; Sterk and Veloria.

**Staff:** Bill Perry (786-7123).

**Background:** Under current law, some places designated called "drug-free zones." The maximum penalty otherwise imposable for some drug law violations is doubled, and 24 months is added to the presumptive sentence under the Sentencing Reform Act, if the offense is committed inside one of these zones.

These zones include schools, school buses, school bus stops, public parks, transit vehicles, and transit stops. The zones also include the area within 1,000 feet of a school or school bus stop. Maps of these areas produced by a governmental authority constitute prima facie evidence of a zone's location in a criminal prosecution. It is not a defense to a prosecution under these provisions that the defendant did not know the offense was being committed within one of the zones. The doubling of the

maximum penalty does not apply to offenses committed within a private home if no minors are present and the offense does not involve selling drugs for profit.

**Summary of Bill:** A civic center may be designated as a drug-free zone by a local government. The area within 1,000 feet of the center may also be so designated.

A "civic center" is defined as a publicly owned or operated place or facility used for recreational, educational, or cultural activities.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Drug-free zones have been effective in other areas. The problem of drug dealing near civic centers is serious. Increased penalties are needed to protect families attending events and property owners and residents in the area.

**Testimony Against:** None.

**Testified:** Senator Jeanne Kohl, prime sponsor; Ted Inkley, Seattle City Attorney's Office (pro); Tom Grabicki, Seattle Police Department (pro); Bert Musgrove, citizen (pro); Roberta Lynch, Spokane Valley Chamber of Commerce (pro); Randy Lewis, City of Tacoma (pro); Bruce Rooney, Seattle Center (pro); and Ray Bowman, Rick Hoffman, and Tiffany McVeety, Queen Anne Chamber of Commerce (pro).