

# HOUSE BILL REPORT

## SSB 5440

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### As Passed House:

April 6, 1995

**Title:** An act relating to students with firearms on school property.

**Brief Description:** Requiring expulsion from school for at least one year for possession of a firearm on school property.

**Sponsors:** Senate Committee on Education (originally sponsored by Senators McAuliffe, Pelz, C. Anderson, Smith, Gaspard, Quigley, Fairley, Rasmussen, Bauer and Palmer).

### Brief History:

#### Committee Activity:

Education: 3/16/95, 3/23/95 [DP].

#### Floor Activity:

Passed House: 4/6/95, 95-0.

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## HOUSE COMMITTEE ON EDUCATION

**Majority Report:** Do pass. Signed by 13 members: Representatives Brumsickle, Chairman; Elliot, Vice Chairman; Johnson, Vice Chairman; Cole, Ranking Minority Member; Clements; Fuhrman; Hatfield; McMahan; Quall; Radcliff; Smith; Talcott and B. Thomas.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Dickerson; Pelesky and Veloria.

**Staff:** Robert Butts (786-7111).

**Background:** Congress enacted the Gun Free Schools Act on October 20, 1994, as part of the Improving American's Schools Act of 1994 (the reauthorization of the Elementary and Secondary Education Act of 1964). Under the Gun Free Schools Act, each state must adopt a law requiring school districts to expel students from school for a minimum of one year if a student has a firearm on school grounds. If a state does not adopt the law by October 20, 1995, the state will lose federal funds provided to the state under the Elementary and Secondary Education Act.

Under current Washington State law, a school district is required to expel a student for carrying a firearm onto school grounds for an indefinite period of time. The length of the period of expulsion varies in different school districts.

**Summary of Bill:** Students carrying firearms on school grounds must be expelled for a period of one year. However, the superintendent of a school district, Educational Service District, or state schools for the deaf or blind may modify the term of the expulsion on a case-by-case basis. If the student is expelled, the district may provide alternative educational programs. The requirement that a student be expelled must be interpreted in a manner consistent with the laws governing students with disabilities. The federal definition of firearm is incorporated. Specific exemptions are provided for authorized military education, conventions, courses, or rifle competitions.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** None.

**Testimony Against:** None.

**Testified:** None.