

SENATE BILL REPORT

ESHB 2137

As Reported By Senate Committee On:
Education, March 29, 2001

Title: An act relating to explosives on school premises.

Brief Description: Prohibiting explosives on school premises.

Sponsors: By House Committee on Education (originally sponsored by Representatives Hunt, Armstrong, Talcott, Quall, Wood, Delvin, Rockefeller, Fromhold, Keiser and Jackley).

Brief History:

Committee Activity: Education: 3/21/01, 3/29/01 [DPA].

SENATE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended.

Signed by Senators McAuliffe, Chair; Eide, Vice Chair; Carlson, Finkbeiner, Hewitt, Johnson, Kastama, Prentice, Rasmussen, Regala and Zarelli.

Staff: Kelly Simpson (786-7403)

Background: Under current law, public school students must be expelled from school for at least one year if they are found to have carried or possessed a firearm on school grounds, school-provided transportation, or facilities being used exclusively by public schools. This general rule does not apply to: (1) students engaged in military education in which only rifles are used; (2) students involved in conventions, showings, demonstrations, lectures, or safety courses at which only rifles are handled; and (3) students participating in rifle competitions. School district superintendents may modify a student's expulsion on a case-by-case basis.

Summary of Amended Bill: Persons aged 13-21 arrested for specified felonies on school grounds must be detained for up to 72 hours in order that they may be evaluated by the person or agency designated by the local regional support network (RSN). The specified felonies include (1) unlawful possession of a firearm on school grounds; (2) threats to bomb a school; and (3) arson in the first or second degrees. The court may, however, release the person sooner after a determination regarding probable cause or on probation bond or bail.

Within 24 hours of the arrest, the arresting law enforcement agency must refer the person to the RSN designee and inform the person's parent or guardian of the arrest, detention, and examination. Within 24 hours of the referral, the RSN designee must conduct an examination and evaluation of the person. The exam must be conducted at the facility where the person is detained, or, if the person has been released sooner by the court, wherever is appropriate. Additionally, the RSN designee may refer the person to the county-designated mental health professional or the county-designated chemical dependency specialist for evaluation who must conduct an exam within 24 hours of the referral.

The evaluation results must be sent to the court, the school, the person's parent or guardian, and to the person if 18 or older. The court must consider the results in making any determination about the person.

Amended Bill Compared to Original Bill: The underlying bill was replaced with a requirement that persons aged 13-21 committing arson on school grounds or making a bomb threat on school grounds receive a mental health evaluation. The current mental health evaluation provision for unlawful possession of a firearm on school grounds was amended to correspond with the other two mental health provisions.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: There has recently been an increase across the country in students bringing explosives to schools and making bomb threats. This bill would expand the zero tolerance-policy by expelling those who possess explosives on school property, hopefully preventing such incidents in the future.

Testimony Against: None.

Testified: Representative Hunt.