

# HOUSE BILL REPORT

## HB 2177

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**As Reported by House Committee On:**  
Judiciary

**Title:** An act relating to revising the definition of a weapon.

**Brief Description:** Revising the definition of a weapon.

**Sponsors:** Representatives Moeller and Williams; by request of Board For Judicial Administration.

**Brief History:**

**Committee Activity:**

Judiciary: 2/20/07, 2/21/07 [DPS].

**Brief Summary of Substitute Bill**

- Broadens and clarifies the definition of weapons that may not be brought into a courthouse.

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### HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Lantz, Chair; Goodman, Vice Chair; Rodne, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Ahern, Flannigan, Kirby, Moeller, Pedersen, Ross and Williams.

**Staff:** Jasmine Vasavada (786-5793) and Bill Perry (786-7123).

**Background:**

It is a gross misdemeanor to enter certain locations when in knowing possession or control of a weapon. Weapons are prohibited in restricted areas of court facilities, jails, public mental health facilities, commercial airports, and in places classified as off-limits to persons under 21 years of age by the state Liquor Control Board. Restricted areas of court facilities may include courtrooms, jury rooms, judge's chambers, offices and areas used to conduct court business, waiting areas, and corridors adjacent to areas used in connection with court proceedings under certain circumstances.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The weapons prohibition does not apply to: (1) a person engaged in official military duties; (2) law enforcement personnel, except in some circumstances when the law enforcement officer is present in a courthouse as party to an action; or (3) security personnel while engaged in official duties.

A weapon is defined as any firearm, explosive, or instrument or weapon listed in another dangerous weapons statute, e.g., slung shot, sand club, metal knuckles, and various types of knives. Specifically, prohibited knives include:

- a spring blade knife;
- any knife the blade of which is automatically released by a spring mechanism or other mechanical device; and
- any knife having a blade which opens, falls, or is ejected into position by the force of gravity, or by an outward, downward, or centrifugal thrust or movement.

The referenced dangerous weapons statute creates a penalty for possession of certain other weapons such as a dagger, dirk, or pistol only when the weapon is carried furtively "with intent to conceal."

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**Summary of Substitute Bill:**

The definition of weapons that may not be brought into areas of any building used in connection with court proceedings is clarified and broadened. Instead of referencing the definition of "weapon" contained in another dangerous weapons statute, prohibited weapons are specifically enumerated. The new list of prohibited weapons includes all previously excluded items, as well as a broader definition that includes any knife, dagger, dirk, or other instrument or weapon that is capable of causing death or bodily injury. In no instance is the prohibition limited to a weapon carried furtively "with intent to conceal."

**Substitute Bill Compared to Original Bill:**

The substitute bill narrows the proposed change in the definition of prohibited weapons to court facilities. The original bill would have changed the definition of prohibited weapons in other facilities as well.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:**

(In support) This bill helps promote the safety of all people in our courts and, in doing so, helps increase access to courts. The change in the definition clarifies that a knife may not be brought into a court room, even if it is not concealed but rather held openly.

(With concerns) Many people see knives as a tool, not a weapon, so it is important that innocently attempting to bring a knife into a restricted area is not criminalized.

**Persons Testifying:** (In support) Representative Moeller, prime sponsor; and Brett Buckley and Jeff Hall, Board for Judicial Administration.

(With concerns) Joe Waldron, Citizens Committee for the Right to Keep and Bear Arms.

**Persons Signed In To Testify But Not Testifying:** None.