

SSB 6141 - H AMD 1356

By Representative Young

1 On page 1, after line 4, insert the following:

2 NEW SECTION. **Sec. 1.** (1) The legislature finds the following:  
3 Schools across the nation have experienced tragic acts of mass  
4 violence, including active shooter events, and are currently  
5 unequipped to adequately respond to these events; institutions and  
6 industries, including banking and financial institutions, local  
7 governments, and professional sports teams and leagues, among others,  
8 employ armed protective services to prevent and respond to these and  
9 other acts of violence; the state, by failing to adequately employ  
10 such protective services in schools, is failing to protect the  
11 state's most vulnerable people and valuable resource, our children;  
12 and the state must respond immediately to protect children in  
13 Washington.

14 (2) To protect schools and children in the state, the legislature  
15 intends to authorize certain common school and charter school  
16 employees, except for classroom teachers, to possess and carry a  
17 concealed pistol on school premises if the employee holds a concealed  
18 pistol license and has been certified as completing two specialized  
19 training courses, including a course on how to safely use a firearm  
20 to prevent, stop, and respond to an active shooter event or other act  
21 of mass violence at a school, and a course on children's mental  
22 health awareness and conflict de-escalation. It is further the  
23 legislature's intent that the cost of these training courses be  
24 reasonable so they are accessible to all eligible school employees.

25 NEW SECTION. **Sec. 2.** (1)(a) A committee on school violence  
26 preparedness is established, with thirteen members as provided in  
27 this section.

28 (i) The president of the senate shall appoint one member from  
29 each of the two largest caucuses of the senate.

1 (ii) The speaker of the house of representatives shall appoint  
2 one member from each of the two largest caucuses of the house of  
3 representatives.

4 (iii) One member shall be the governor or the governor's  
5 designee.

6 (iv) One member shall be the superintendent of public instruction  
7 or the superintendent of public instruction's designee.

8 (v) One member shall be a representative of the Washington state  
9 school directors' association, appointed by the Washington state  
10 school directors' association.

11 (vi) One member shall be a representative of the Washington  
12 association of sheriffs and police chiefs, appointed by the  
13 Washington association of sheriffs and police chiefs.

14 (vii) The Washington adjutant general shall appoint one member  
15 who has experience with crisis response and who represents the  
16 national guard.

17 (viii) The governor shall appoint one member with special weapons  
18 and tactics expertise who represents a state council or organization  
19 of police and sheriffs that is not the Washington association of  
20 sheriffs and police chiefs.

21 (ix) The governor shall appoint two members who represent a  
22 national alliance or organization on mental illness.

23 (x) The governor shall appoint one member who represents a  
24 national organization representing the interests of firearm owners.

25 (b) The committee shall choose its chair from among its  
26 legislative members and the governor or governor's designee. The  
27 governor or the governor's designee shall convene the initial meeting  
28 of the committee.

29 (2) The committee shall perform the following tasks by June 30,  
30 2018:

31 (a) Establish training curriculum standards that private and  
32 public entities may use to develop voluntary training programs  
33 offered to common school and charter school employees identified by  
34 the committee in (c) of this subsection who hold a concealed pistol  
35 license under chapter 9.41 RCW, on the topic of how to safely use a  
36 firearm to prevent, stop, and respond to an active shooter event or  
37 other act of mass violence at a school;

38 (b) Establish training curriculum standards that private and  
39 public entities may use to develop training programs on the issues of  
40 children's mental health awareness and conflict de-escalation; and

1 (c) Determine which school employees, except for classroom  
2 teachers, are eligible for the training described in (a) of this  
3 subsection.

4 (3) Staff support for the committee must be provided by the  
5 governor's office, senate committee services, and the office of  
6 program research.

7 (4) Legislative members of the committee are reimbursed for  
8 travel expenses in accordance with RCW 44.04.120. Nonlegislative  
9 members are not entitled to be reimbursed for travel expenses if they  
10 are elected officials or are participating on behalf of an employer,  
11 governmental entity, or other organization.

12 (5) The expenses of the committee must be paid by the governor's  
13 office, the senate, and the house of representatives. Committee  
14 expenditures are subject to approval by the governor's office, the  
15 senate facilities and operations committee, and the house of  
16 representatives executive rules committee, or their successor  
17 committees.

18 (6) The committee must submit a report to the legislature by  
19 December 1, 2019, that includes the following information:

20 (a) A description of the training curriculum standards developed  
21 by the committee under subsection (2) of this section;

22 (b) A determination by the committee of which common school and  
23 charter school employees, except for classroom teachers, are eligible  
24 to undergo the training curriculum developed pursuant to subsection  
25 (2)(a) of this section and to possess or carry a concealed pistol on  
26 school premises;

27 (c) The number of common school and charter school employees who  
28 have engaged in training offered by public or private entities  
29 meeting standards established by the committee in subsection (2) of  
30 this section, to the extent this information is available when the  
31 report is due; and

32 (d) Any recommendations or policy considerations for the  
33 legislature's consideration.

34 (7)(a) Committee decisions regarding the adoption of training  
35 curriculum standards and determining which employees are eligible for  
36 the training developed under the standards established pursuant to  
37 subsection (2)(a) of this section must be made by a majority vote. A  
38 quorum is required to vote. Seven members of the committee constitute  
39 a quorum.

1 (b) The work of the committee is complete upon the submission of  
2 the report required under subsection (6) of this section.

3 (8) This section expires January 1, 2020.

4 NEW SECTION. **Sec. 3.** (1) An employee of a common school or  
5 charter school who the committee on school violence preparedness  
6 established in section 2 of this act determines is eligible to  
7 undergo training on how to safely possess, carry, and, if necessary,  
8 use a firearm to respond to an active shooter or act of mass violence  
9 at a school, may possess and carry a concealed pistol on school  
10 premises, if the employee has:

11 (a) A valid concealed pistol license issued under chapter 9.41  
12 RCW;

13 (b) Completed a training program meeting the standards  
14 established by the committee in section 2(2)(a) of this act and has  
15 been issued a certification from the entity providing the training  
16 demonstrating the employee's successful completion of the training;  
17 and

18 (c) Completed a training program meeting the standards  
19 established by the committee in section 2(2)(b) of this act and has  
20 been issued a certification from the entity providing the training  
21 demonstrating the employee's successful completion of the training.

22 (2)(a) Training offered by a public or private entity meeting the  
23 standards established by the committee pursuant to section 2(2) of  
24 this act is voluntary for school employees and the cost of training  
25 must be paid by the individual employee undergoing the training.

26 (b) Holding a valid concealed pistol license under chapter 9.41  
27 RCW is a prerequisite to enroll in a training program meeting the  
28 standards established by the committee under section 2(2)(a) of this  
29 act.

30 (c) A public or private entity offering training meeting the  
31 standards established by the committee under section 2(2) of this act  
32 must issue a certification to a common school or charter school  
33 employee who successfully completes the training.

34 (d) Classroom teachers are ineligible to enroll in a training  
35 program meeting the standards established by the committee under  
36 section 2(2)(a) of this act.

37 (e) Any school employee, including classroom teachers, may  
38 complete a training program meeting standards established by the  
39 committee under section 2(2)(b) of this act.

1 (3) If an employee of a common school or charter school is  
2 qualified under subsection (1) of this section to possess and carry a  
3 concealed pistol on school grounds, no additional authorization from  
4 the school at which the employee works is required and the school may  
5 not prohibit the employee from carrying or possessing a concealed  
6 pistol on school premises in accordance with this section.

7 NEW SECTION. **Sec. 4.** Upon the committee on school violence  
8 preparedness's establishment of training curriculum standards and the  
9 committee's determination of which school employees are eligible for  
10 the training in section 2(2)(a) of this act, the superintendent of  
11 public instruction shall promptly adopt rules publishing the training  
12 curriculum standards and eligible school employees.

13 **Sec. 5.** RCW 9.41.280 and 2014 c 225 s 56 are each amended to  
14 read as follows:

15 (1) It is unlawful for a person to carry onto, or to possess on,  
16 public or private elementary or secondary school premises, school-  
17 provided transportation, or areas of facilities while being used  
18 exclusively by public or private schools:

19 (a) Any firearm;

20 (b) Any other dangerous weapon as defined in RCW 9.41.250;

21 (c) Any device commonly known as "nun-chu-ka sticks," consisting  
22 of two or more lengths of wood, metal, plastic, or similar substance  
23 connected with wire, rope, or other means;

24 (d) Any device, commonly known as "throwing stars," which are  
25 multipointed, metal objects designed to embed upon impact from any  
26 aspect;

27 (e) Any air gun, including any air pistol or air rifle, designed  
28 to propel a BB, pellet, or other projectile by the discharge of  
29 compressed air, carbon dioxide, or other gas; or

30 (f)(i) Any portable device manufactured to function as a weapon  
31 and which is commonly known as a stun gun, including a projectile  
32 stun gun which projects wired probes that are attached to the device  
33 that emit an electrical charge designed to administer to a person or  
34 an animal an electric shock, charge, or impulse; or

35 (ii) Any device, object, or instrument which is used or intended  
36 to be used as a weapon with the intent to injure a person by an  
37 electric shock, charge, or impulse.

1 (2) Any such person violating subsection (1) of this section is  
2 guilty of a gross misdemeanor. If any person is convicted of a  
3 violation of subsection (1)(a) of this section, the person shall have  
4 his or her concealed pistol license, if any revoked for a period of  
5 three years. Anyone convicted under this subsection is prohibited  
6 from applying for a concealed pistol license for a period of three  
7 years. The court shall send notice of the revocation to the  
8 department of licensing, and the city, town, or county which issued  
9 the license.

10 Any violation of subsection (1) of this section by elementary or  
11 secondary school students constitutes grounds for expulsion from the  
12 state's public schools in accordance with RCW 28A.600.010. An  
13 appropriate school authority shall promptly notify law enforcement  
14 and the student's parent or guardian regarding any allegation or  
15 indication of such violation.

16 Upon the arrest of a person at least twelve years of age and not  
17 more than twenty-one years of age for violating subsection (1)(a) of  
18 this section, the person shall be detained or confined in a juvenile  
19 or adult facility for up to seventy-two hours. The person shall not  
20 be released within the seventy-two hours until after the person has  
21 been examined and evaluated by the designated mental health  
22 professional unless the court in its discretion releases the person  
23 sooner after a determination regarding probable cause or on probation  
24 bond or bail.

25 Within twenty-four hours of the arrest, the arresting law  
26 enforcement agency shall refer the person to the designated mental  
27 health professional for examination and evaluation under chapter  
28 71.05 or 71.34 RCW and inform a parent or guardian of the person of  
29 the arrest, detention, and examination. The designated mental health  
30 professional shall examine and evaluate the person subject to the  
31 provisions of chapter 71.05 or 71.34 RCW. The examination shall occur  
32 at the facility in which the person is detained or confined. If the  
33 person has been released on probation, bond, or bail, the examination  
34 shall occur wherever is appropriate.

35 The designated mental health professional may determine whether  
36 to refer the person to the county-designated chemical dependency  
37 specialist for examination and evaluation in accordance with chapter  
38 70.96A RCW. The county-designated chemical dependency specialist  
39 shall examine the person subject to the provisions of chapter 70.96A  
40 RCW. The examination shall occur at the facility in which the person

1 is detained or confined. If the person has been released on  
2 probation, bond, or bail, the examination shall occur wherever is  
3 appropriate.

4 Upon completion of any examination by the designated mental  
5 health professional or the county-designated chemical dependency  
6 specialist, the results of the examination shall be sent to the  
7 court, and the court shall consider those results in making any  
8 determination about the person.

9 The designated mental health professional and county-designated  
10 chemical dependency specialist shall, to the extent permitted by law,  
11 notify a parent or guardian of the person that an examination and  
12 evaluation has taken place and the results of the examination.  
13 Nothing in this subsection prohibits the delivery of additional,  
14 appropriate mental health examinations to the person while the person  
15 is detained or confined.

16 If the designated mental health professional determines it is  
17 appropriate, the designated mental health professional may refer the  
18 person to the local behavioral health organization for follow-up  
19 services or the department of social and health services or other  
20 community providers for other services to the family and individual.

21 (3) Subsection (1) of this section does not apply to:

22 (a) Any student or employee of a private military academy when on  
23 the property of the academy;

24 (b) Any person engaged in military, law enforcement, or school  
25 district security activities. However, a person who is not a  
26 commissioned law enforcement officer and who provides school security  
27 services under the direction of a school administrator may not  
28 possess a device listed in subsection (1)(f) of this section unless  
29 he or she has successfully completed training in the use of such  
30 devices that is equivalent to the training received by commissioned  
31 law enforcement officers;

32 (c) Any person who is involved in a convention, showing,  
33 demonstration, lecture, or firearms safety course authorized by  
34 school authorities in which the firearms of collectors or instructors  
35 are handled or displayed;

36 (d) Any person while the person is participating in a firearms or  
37 air gun competition approved by the school or school district;

38 (e) Any person in possession of a pistol who has been issued a  
39 license under RCW 9.41.070, or is exempt from the licensing

1 requirement by RCW 9.41.060, while picking up or dropping off a  
2 student;

3 (f) Any nonstudent at least eighteen years of age legally in  
4 possession of a firearm or dangerous weapon that is secured within an  
5 attended vehicle or concealed from view within a locked unattended  
6 vehicle while conducting legitimate business at the school;

7 (g) Any nonstudent at least eighteen years of age who is in  
8 lawful possession of an unloaded firearm, secured in a vehicle while  
9 conducting legitimate business at the school; (~~(e)~~)

10 (h) Any person authorized under section 3 of this act to possess  
11 or carry a concealed pistol on school premises; or

12 (i) Any law enforcement officer of the federal, state, or local  
13 government agency.

14 (4) Subsections (1)(c) and (d) of this section do not apply to  
15 any person who possesses nun-chu-ka sticks, throwing stars, or other  
16 dangerous weapons to be used in martial arts classes authorized to be  
17 conducted on the school premises.

18 (5) Subsection (1)(f)(i) of this section does not apply to any  
19 person who possesses a device listed in subsection (1)(f)(i) of this  
20 section, if the device is possessed and used solely for the purpose  
21 approved by a school for use in a school authorized event, lecture,  
22 or activity conducted on the school premises.

23 (6) Except as provided in subsection (3)(b), (c), (f), (~~and~~)  
24 (h), and (i) of this section, firearms are not permitted in a public  
25 or private school building.

26 (7) "GUN-FREE ZONE" signs shall be posted around school  
27 facilities giving warning of the prohibition of the possession of  
28 firearms on school grounds.

29 **Sec. 6.** RCW 9.41.280 and 2016 sp.s. c 29 s 403 are each amended  
30 to read as follows:

31 (1) It is unlawful for a person to carry onto, or to possess on,  
32 public or private elementary or secondary school premises, school-  
33 provided transportation, or areas of facilities while being used  
34 exclusively by public or private schools:

35 (a) Any firearm;

36 (b) Any other dangerous weapon as defined in RCW 9.41.250;

37 (c) Any device commonly known as "nun-chu-ka sticks," consisting  
38 of two or more lengths of wood, metal, plastic, or similar substance  
39 connected with wire, rope, or other means;



1 (d) Any device, commonly known as "throwing stars," which are  
2 multipointed, metal objects designed to embed upon impact from any  
3 aspect;

4 (e) Any air gun, including any air pistol or air rifle, designed  
5 to propel a BB, pellet, or other projectile by the discharge of  
6 compressed air, carbon dioxide, or other gas; or

7 (f)(i) Any portable device manufactured to function as a weapon  
8 and which is commonly known as a stun gun, including a projectile  
9 stun gun which projects wired probes that are attached to the device  
10 that emit an electrical charge designed to administer to a person or  
11 an animal an electric shock, charge, or impulse; or

12 (ii) Any device, object, or instrument which is used or intended  
13 to be used as a weapon with the intent to injure a person by an  
14 electric shock, charge, or impulse.

15 (2) Any such person violating subsection (1) of this section is  
16 guilty of a gross misdemeanor. If any person is convicted of a  
17 violation of subsection (1)(a) of this section, the person shall have  
18 his or her concealed pistol license, if any revoked for a period of  
19 three years. Anyone convicted under this subsection is prohibited  
20 from applying for a concealed pistol license for a period of three  
21 years. The court shall send notice of the revocation to the  
22 department of licensing, and the city, town, or county which issued  
23 the license.

24 Any violation of subsection (1) of this section by elementary or  
25 secondary school students constitutes grounds for expulsion from the  
26 state's public schools in accordance with RCW 28A.600.010. An  
27 appropriate school authority shall promptly notify law enforcement  
28 and the student's parent or guardian regarding any allegation or  
29 indication of such violation.

30 Upon the arrest of a person at least twelve years of age and not  
31 more than twenty-one years of age for violating subsection (1)(a) of  
32 this section, the person shall be detained or confined in a juvenile  
33 or adult facility for up to seventy-two hours. The person shall not  
34 be released within the seventy-two hours until after the person has  
35 been examined and evaluated by the designated crisis responder unless  
36 the court in its discretion releases the person sooner after a  
37 determination regarding probable cause or on probation bond or bail.

38 Within twenty-four hours of the arrest, the arresting law  
39 enforcement agency shall refer the person to the designated crisis  
40 responder for examination and evaluation under chapter 71.05 or 71.34

1 RCW and inform a parent or guardian of the person of the arrest,  
2 detention, and examination. The designated crisis responder shall  
3 examine and evaluate the person subject to the provisions of chapter  
4 71.05 or 71.34 RCW. The examination shall occur at the facility in  
5 which the person is detained or confined. If the person has been  
6 released on probation, bond, or bail, the examination shall occur  
7 wherever is appropriate.

8 Upon completion of any examination by the designated crisis  
9 responder, the results of the examination shall be sent to the court,  
10 and the court shall consider those results in making any  
11 determination about the person.

12 The designated crisis responder shall, to the extent permitted by  
13 law, notify a parent or guardian of the person that an examination  
14 and evaluation has taken place and the results of the examination.  
15 Nothing in this subsection prohibits the delivery of additional,  
16 appropriate mental health examinations to the person while the person  
17 is detained or confined.

18 If the designated crisis responder determines it is appropriate,  
19 the designated crisis responder may refer the person to the local  
20 behavioral health organization for follow-up services or the  
21 department of social and health services or other community providers  
22 for other services to the family and individual.

23 (3) Subsection (1) of this section does not apply to:

24 (a) Any student or employee of a private military academy when on  
25 the property of the academy;

26 (b) Any person engaged in military, law enforcement, or school  
27 district security activities. However, a person who is not a  
28 commissioned law enforcement officer and who provides school security  
29 services under the direction of a school administrator may not  
30 possess a device listed in subsection (1)(f) of this section unless  
31 he or she has successfully completed training in the use of such  
32 devices that is equivalent to the training received by commissioned  
33 law enforcement officers;

34 (c) Any person who is involved in a convention, showing,  
35 demonstration, lecture, or firearms safety course authorized by  
36 school authorities in which the firearms of collectors or instructors  
37 are handled or displayed;

38 (d) Any person while the person is participating in a firearms or  
39 air gun competition approved by the school or school district;

1 (e) Any person in possession of a pistol who has been issued a  
2 license under RCW 9.41.070, or is exempt from the licensing  
3 requirement by RCW 9.41.060, while picking up or dropping off a  
4 student;

5 (f) Any nonstudent at least eighteen years of age legally in  
6 possession of a firearm or dangerous weapon that is secured within an  
7 attended vehicle or concealed from view within a locked unattended  
8 vehicle while conducting legitimate business at the school;

9 (g) Any nonstudent at least eighteen years of age who is in  
10 lawful possession of an unloaded firearm, secured in a vehicle while  
11 conducting legitimate business at the school; (~~(e)~~)

12 (h) Any person authorized under section 3 of this act to possess  
13 or carry a concealed pistol on school premises; or

14 (i) Any law enforcement officer of the federal, state, or local  
15 government agency.

16 (4) Subsections (1)(c) and (d) of this section do not apply to  
17 any person who possesses nun-chu-ka sticks, throwing stars, or other  
18 dangerous weapons to be used in martial arts classes authorized to be  
19 conducted on the school premises.

20 (5) Subsection (1)(f)(i) of this section does not apply to any  
21 person who possesses a device listed in subsection (1)(f)(i) of this  
22 section, if the device is possessed and used solely for the purpose  
23 approved by a school for use in a school authorized event, lecture,  
24 or activity conducted on the school premises.

25 (6) Except as provided in subsection (3)(b), (c), (f), (~~and~~)  
26 (h), and (i) of this section, firearms are not permitted in a public  
27 or private school building.

28 (7) "GUN-FREE ZONE" signs shall be posted around school  
29 facilities giving warning of the prohibition of the possession of  
30 firearms on school grounds."

31 Renumber the remaining sections consecutively and correct any  
32 internal references accordingly.

33 On page 3, after line 17, insert the following:

34 "NEW SECTION. Sec. 9. Sections 1 through 4 of this act  
35 constitute a new chapter in Title 28A RCW.

1        NEW SECTION.    **Sec. 10.**    Section 5 of this act expires April 1,  
2 2018.

3        NEW SECTION.    **Sec. 11.**    Section 6 of this act takes effect April  
4 1, 2018.

5        NEW SECTION.    **Sec. 12.**    Except for section 6 of this act, this  
6 act is necessary for the immediate preservation of the public peace,  
7 health, or safety, or support of the state government and its  
8 existing public institutions, and takes effect immediately."

9        Correct the title.

EFFECT: Creates a committee on school violence preparedness to adopt training curriculum standards for certain school employees who hold concealed pistol licenses on how to safely use a firearm to prevent school violence, and training curriculum standards on the subjects of children's mental health awareness and conflict de-escalation. Authorizes school employees who the committee determines are eligible to undergo the firearm training to possess and carry a concealed pistol under certain conditions. Requires the Superintendent of Public Instruction to adopt rules publishing the training curriculum standards created by the committee and which school employees are eligible to participate in the trainings. Includes an emergency clause.

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