

SSB 6620 - S AMD 906
By Senator Rivers

1 On page 27, after line 34, insert the following:

2 "Sec. 23. RCW 9.41.280 and 2016 sp.s. c 29 s 403 are each
3 amended to read as follows:

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

8 (a) Any firearm;

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

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

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

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

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

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

27 (2) Any such person violating subsection (1) of this section is
28 guilty of a (~~gross misdemeanor~~) class C felony. If any person is
29 convicted of a violation of subsection (1)(a) of this section, the
30 person shall have his or her concealed pistol license, if any revoked
31 for a period of three years. Anyone convicted under this subsection
32 is prohibited from applying for a concealed pistol license for a

1 period of three years. The court shall send notice of the revocation
2 to the department of licensing, and the city, town, or county which
3 issued the license.

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

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

18 Within twenty-four hours of the arrest, the arresting law
19 enforcement agency shall refer the person to the designated crisis
20 responder for examination and evaluation under chapter 71.05 or 71.34
21 RCW and inform a parent or guardian of the person of the arrest,
22 detention, and examination. The designated crisis responder shall
23 examine and evaluate the person subject to the provisions of chapter
24 71.05 or 71.34 RCW. The examination shall occur at the facility in
25 which the person is detained or confined. If the person has been
26 released on probation, bond, or bail, the examination shall occur
27 wherever is appropriate.

28 Upon completion of any examination by the designated crisis
29 responder, the results of the examination shall be sent to the court,
30 and the court shall consider those results in making any
31 determination about the person.

32 The designated crisis responder shall, to the extent permitted by
33 law, notify a parent or guardian of the person that an examination
34 and evaluation has taken place and the results of the examination.
35 Nothing in this subsection prohibits the delivery of additional,
36 appropriate mental health examinations to the person while the person
37 is detained or confined.

38 If the designated crisis responder determines it is appropriate,
39 the designated crisis responder may refer the person to the local
40 behavioral health organization for follow-up services or the

1 department of social and health services or other community providers
2 for other services to the family and individual.

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

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

6 (b) Any person engaged in military, law enforcement, or school
7 district security activities. However, a person who is not a
8 commissioned law enforcement officer and who provides school security
9 services under the direction of a school administrator may not
10 possess a device listed in subsection (1)(f) of this section unless
11 he or she has successfully completed training in the use of such
12 devices that is equivalent to the training received by commissioned
13 law enforcement officers;

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

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

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

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

28 (g) Any nonstudent at least eighteen years of age who is in
29 lawful possession of an unloaded firearm, secured in a vehicle while
30 conducting legitimate business at the school; or

31 (h) Any law enforcement officer of the federal, state, or local
32 government agency.

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

37 (5) Subsection (1)(f)(i) of this section does not apply to any
38 person who possesses a device listed in subsection (1)(f)(i) of this
39 section, if the device is possessed and used solely for the purpose

1 approved by a school for use in a school authorized event, lecture,
2 or activity conducted on the school premises.

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

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

9 Renumber the remaining sections consecutively and correct any
10 internal references accordingly.

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11 On page 1, line 12 of the title, after "9.41.124" strike "and"
12 and after "9.41.240" insert ", and 9.41.280"

EFFECT: Increases the criminal penalty for bringing a dangerous
weapon, including a firearm, onto school premises from a gross
misdemeanor to a class C felony.

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