
HOUSE BILL 3007

State of Washington 65th Legislature 2018 Regular Session

By Representatives Young, Van Werven, Holy, McCaslin, and Muri

Read first time 02/26/18. Referred to Committee on Judiciary.

1 AN ACT Relating to preparing for and responding to active shooter
2 events and other acts of mass violence at schools; amending RCW
3 9.41.280 and 9.41.280; adding a new chapter to Title 28A RCW;
4 providing an effective date; providing an expiration date; and
5 declaring an emergency.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

20 (2) To protect schools and children in the state, the legislature
21 intends to authorize certain common school and charter school

1 employees, except for classroom teachers, to possess and carry a
2 concealed pistol on school premises if the employee holds a concealed
3 pistol license and has been certified as completing two specialized
4 training courses, including a course on how to safely use a firearm
5 to prevent, stop, and respond to an active shooter event or other act
6 of mass violence at a school, and a course on children's mental
7 health awareness and conflict de-escalation. It is further the
8 legislature's intent that the cost of these training courses be
9 reasonable so they are accessible to all eligible school employees.

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

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

15 (ii) The speaker of the house of representatives shall appoint
16 one member from each of the two largest caucuses of the house of
17 representatives.

18 (iii) One member shall be the governor or the governor's
19 designee.

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

22 (v) One member shall be a representative of the Washington state
23 school directors' association, appointed by the Washington state
24 school directors' association.

25 (vi) One member shall be a representative of the Washington
26 association of sheriffs and police chiefs, appointed by the
27 Washington association of sheriffs and police chiefs.

28 (vii) The Washington adjutant general shall appoint one member
29 who has experience with crisis response and who represents the
30 national guard.

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

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

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

1 (b) The committee shall choose its chair from among its
2 legislative members and the governor or governor's designee. The
3 governor or the governor's designee shall convene the initial meeting
4 of the committee.

5 (2) The committee shall perform the following tasks by June 30,
6 2018:

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

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

17 (c) Determine which school employees, except for classroom
18 teachers, are eligible for the training described in (a) of this
19 subsection.

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

23 (4) Legislative members of the committee are reimbursed for
24 travel expenses in accordance with RCW 44.04.120. Nonlegislative
25 members are not entitled to be reimbursed for travel expenses if they
26 are elected officials or are participating on behalf of an employer,
27 governmental entity, or other organization.

28 (5) The expenses of the committee must be paid by the governor's
29 office, the senate, and the house of representatives. Committee
30 expenditures are subject to approval by the governor's office, the
31 senate facilities and operations committee, and the house of
32 representatives executive rules committee, or their successor
33 committees.

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

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

38 (b) A determination by the committee of which common school and
39 charter school employees, except for classroom teachers, are eligible
40 to undergo the training curriculum developed pursuant to subsection

1 (2)(a) of this section and to possess or carry a concealed pistol on
2 school premises;

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

8 (d) Any recommendations or policy considerations for the
9 legislature's consideration.

10 (7)(a) Committee decisions regarding the adoption of training
11 curriculum standards and determining which employees are eligible for
12 the training developed under the standards established pursuant to
13 subsection (2)(a) of this section must be made by a majority vote. A
14 quorum is required to vote. Seven members of the committee constitute
15 a quorum.

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

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

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

26 (a) A valid concealed pistol license issued under chapter 9.41
27 RCW;

28 (b) Completed a training program meeting the standards
29 established by the committee in section 2(2)(a) of this act and has
30 been issued a certification from the entity providing the training
31 demonstrating the employee's successful completion of the training;
32 and

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

37 (2)(a) Training offered by a public or private entity meeting the
38 standards established by the committee pursuant to section 2(2) of

1 this act is voluntary for school employees and the cost of training
2 must be paid by the individual employee undergoing the training.

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

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

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

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

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

23 NEW SECTION. **Sec. 4.** Upon the committee on school violence
24 preparedness's establishment of training curriculum standards and the
25 committee's determination of which school employees are eligible for
26 the training in section 2(2)(a) of this act, the superintendent of
27 public instruction shall promptly adopt rules publishing the training
28 curriculum standards and eligible school employees.

29 **Sec. 5.** RCW 9.41.280 and 2014 c 225 s 56 are each amended to
30 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;

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

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

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

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

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

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

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

33 Upon the arrest of a person at least twelve years of age and not
34 more than twenty-one years of age for violating subsection (1)(a) of
35 this section, the person shall be detained or confined in a juvenile
36 or adult facility for up to seventy-two hours. The person shall not
37 be released within the seventy-two hours until after the person has
38 been examined and evaluated by the designated mental health
39 professional unless the court in its discretion releases the person

1 sooner after a determination regarding probable cause or on probation
2 bond or bail.

3 Within twenty-four hours of the arrest, the arresting law
4 enforcement agency shall refer the person to the designated mental
5 health professional for examination and evaluation under chapter
6 71.05 or 71.34 RCW and inform a parent or guardian of the person of
7 the arrest, detention, and examination. The designated mental health
8 professional shall examine and evaluate the person subject to the
9 provisions of chapter 71.05 or 71.34 RCW. The examination shall occur
10 at the facility in which the person is detained or confined. If the
11 person has been released on probation, bond, or bail, the examination
12 shall occur wherever is appropriate.

13 The designated mental health professional may determine whether
14 to refer the person to the county-designated chemical dependency
15 specialist for examination and evaluation in accordance with chapter
16 70.96A RCW. The county-designated chemical dependency specialist
17 shall examine the person subject to the provisions of chapter 70.96A
18 RCW. The examination shall occur at the facility in which the person
19 is detained or confined. If the person has been released on
20 probation, bond, or bail, the examination shall occur wherever is
21 appropriate.

22 Upon completion of any examination by the designated mental
23 health professional or the county-designated chemical dependency
24 specialist, the results of the examination shall be sent to the
25 court, and the court shall consider those results in making any
26 determination about the person.

27 The designated mental health professional and county-designated
28 chemical dependency specialist shall, to the extent permitted by law,
29 notify a parent or guardian of the person that an examination and
30 evaluation has taken place and the results of the examination.
31 Nothing in this subsection prohibits the delivery of additional,
32 appropriate mental health examinations to the person while the person
33 is detained or confined.

34 If the designated mental health professional determines it is
35 appropriate, the designated mental health professional may refer the
36 person to the local behavioral health organization for follow-up
37 services or the department of social and health services or other
38 community providers for other services to the family and individual.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 (a) Any firearm;

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

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

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

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

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

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

32 (2) Any such person violating subsection (1) of this section is
33 guilty of a gross misdemeanor. If any person is convicted of a
34 violation of subsection (1)(a) of this section, the person shall have
35 his or her concealed pistol license, if any revoked for a period of
36 three years. Anyone convicted under this subsection is prohibited
37 from applying for a concealed pistol license for a period of three
38 years. The court shall send notice of the revocation to the

1 department of licensing, and the city, town, or county which issued
2 the license.

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

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

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

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

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

37 If the designated crisis responder determines it is appropriate,
38 the designated crisis responder may refer the person to the local
39 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 person authorized under section 3 of this act to possess
32 or carry a concealed pistol on school premises; or

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

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

39 (5) Subsection (1)(f)(i) of this section does not apply to any
40 person who possesses a device listed in subsection (1)(f)(i) of this

1 section, if the device is possessed and used solely for the purpose
2 approved by a school for use in a school authorized event, lecture,
3 or activity conducted on the school premises.

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

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

10 NEW SECTION. **Sec. 7.** Sections 1 through 4 of this act
11 constitute a new chapter in Title 28A RCW.

12 NEW SECTION. **Sec. 8.** Section 5 of this act expires April 1,
13 2018.

14 NEW SECTION. **Sec. 9.** Section 6 of this act takes effect April
15 1, 2018.

16 NEW SECTION. **Sec. 10.** Except for section 6 of this act, this
17 act is necessary for the immediate preservation of the public peace,
18 health, or safety, or support of the state government and its
19 existing public institutions, and takes effect immediately.

--- END ---