

HOUSE BILL REPORT

HB 2310

*As Reported By House Committee on:
Judiciary*

Title: An act relating to the possession of weapons in court facilities.

Brief Description: Prohibiting possession of weapons in court facilities.

Sponsor(s): Representatives Franklin, Ludwig, Orr, Wang, Ferguson and Anderson.

Brief History:

Reported by House Committee on:
Judiciary, February 4, 1992, DPS.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 18 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Staff: Margaret Allen (786-7191).

Background: State law prohibits possession of a firearm in a courtroom or judge's chamber while either is being used for a judicial proceeding.

The prohibition does not extend to other dangerous weapons. Neither does it extend to possession of firearms or other dangerous weapons in the rest of a courthouse, nor in a courtroom or judge's chamber when not being used for a judicial proceeding.

Summary of Substitute Bill: It is a misdemeanor to enter or attempt to enter a judge's chamber or courtroom while in possession of a firearm or other dangerous weapon.

Exceptions are made for persons engaged in official military duties, and law enforcement and security personnel engaged in official duties.

A law enforcement officer may confiscate a weapon where there is reasonable cause to believe the weapon was possessed in violation of the act. A court may order forfeiture of a weapon proven to be possessed in violation of the act.

Notice of the provisions of the act must be conspicuously posted at each entrance to the building, courtroom, and judge's chamber.

Substitute Bill Compared to Original Bill: The original bill extended the mandatory prohibition of firearms and other dangerous weapons to the entire building in which a courtroom or judge's chamber is located.

The definition of "dangerous weapon" and notice provisions differed between the two bill versions.

Unlike the substitute bill, the original bill neither expressly provided for the confiscation of weapons nor extended forfeiture provisions to dangerous weapons other than firearms.

Fiscal Note: Not requested.

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

Testimony For: (Original Bill): This is not a weapons issue; it is a safety issue. Courthouse security is a serious problem that affects not only judges but litigants and other people as well. Problems spill out of the courtroom and into the hallway. A "weapon-free zone" is needed. The definition of "dangerous weapon" is insufficiently inclusive.

Testimony Against: (Original Bill): The definition of "dangerous weapon" is overly inclusive. A concealed weapon permit would no longer be good in a courthouse. The prohibition against firearms or other dangerous weapons should not be extended to an entire court facility because such facilities serve a variety of functions such as containing a cafeteria with knives and forks, or providing an office at which to renew concealed weapons permits.

Witnesses: Representative Rosa Franklin, prime sponsor (supports); Sharon Armstrong, King County Superior Court Judge (supports); Nile Aubrey, Pierce County Superior Court Judge (supports); Ted Kolbaba, Superior Court Judges Association (supports); Brian D. Pedersen, Cowlitz County Sheriff's Office (supports); Caroline Davis, Seattle-King County Bar Association (supports); Ted Cowan, Washington

State Rifle and Pistol Association (opposes); and John Hosford, Citizens Committee for the Right to Keep and Bear Arms (opposes).