

HOUSE BILL REPORT

SB 6122

*As Reported By House Committee on:
Judiciary*

Title: An act relating to arrest without warrant.

Brief Description: Concerning arrest without warrant.

Sponsor(s): Senators Sutherland, L. Smith, Bauer, Rasmussen and Gaspard.

Brief History:

Reported by House Committee on:
Judiciary, February 28, 1992, DPA.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *Do pass as amended.* Signed by 19 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Staff: Margaret Allen (786-7191).

Background: Under current law, it is unlawful for a student under the age of 21 to possess a firearm or other dangerous weapon on school premises. A violation of the law is a gross misdemeanor.

On occasion, principals or other school officials confiscate firearms and dangerous weapons that students bring onto school premises. Police are unable to make a subsequent arrest because, unless an exception enumerated in statute applies, police are authorized to arrest a person committing a misdemeanor or a gross misdemeanor without a warrant only if the offense is committed in the officer's presence.

Summary of Amended Bill: A police officer may make a warrantless arrest if he or she has probable cause to believe that a person illegally possesses a firearm or dangerous weapon on school premises.

Amended Bill Compared to Original Bill: The original bill authorized a warrantless arrest when a person violated a

statute currently prohibiting students from possessing firearms or other dangerous weapons on school premises.

Fiscal Note: Not requested.

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

Testimony For: Thousands of weapons are taken into schools daily, creating a dangerous situation.

Testimony Against: None.

Witnesses: Senator Sutherland, prime sponsor (supports).