

**SENATE BILL REPORT**

**SB 6157**

**AS REPORTED BY COMMITTEE ON EDUCATION, FEBRUARY 6, 1992**

**Brief Description:** Prohibiting dangerous weapons on elementary and secondary school premises.

**SPONSORS:** Senators Oke, Bauer, Barr and McCaslin

**SENATE COMMITTEE ON EDUCATION**

**Majority Report:** That Substitute Senate Bill No. 6157 be substituted therefor, and the substitute bill do pass.

Signed by Senators Bailey, Chairman; Erwin, Vice Chairman; Anderson, Craswell, Metcalf, and Oke.

**Staff:** Leslie Goldstein (786-7424)

**Hearing Dates:** January 28, 1992; February 6, 1992

**BACKGROUND:**

The state has preempted the entire area of firearms regulation. Cities, towns and other municipalities may only enact those laws specifically authorized by state law and consistent with state law. By state statute, firearms are specifically prohibited in areas such as restricted access areas of a jail or law enforcement facility, a courtroom or judge's chamber, restricted areas of mental health facilities, and licensed premises for the consumption of alcoholic beverages. Cities, towns and other municipalities may adopt ordinances restricting the discharge of firearms in areas where persons or animals would be harmed and may restrict possession in stadiums or convention centers unless the person has a concealed weapons permit. Under current law, students are prohibited from having firearms or other weapons on school premises. However, school districts are concerned that they cannot prohibit other persons from carrying firearms onto school premises because the state has preempted the regulation of firearms.

**SUMMARY:**

The prohibition against any student carrying a firearm or other dangerous weapons on school premises is expanded to include any person.

The exemptions still apply and are expanded to include any person involved in security activities or law enforcement activities, as well as military activities as part of official duties. Such activities no longer need to be sponsored by the government.

**EFFECT OF PROPOSED SUBSTITUTE:**

Current law is expanded to prohibit any person from carrying dangerous weapons as defined in RCW 9.41.250, as well as devices such as nun-chu-ka sticks, throwing stars, or air guns on school premises. Certain exemptions apply.

Any student is prohibited from carrying a firearm on school premises. This is not a change from current law. Certain exemptions apply.

A person is prohibited from carrying a firearm into a school building while school or a school function is in session. This prohibition does not apply if the person has both a concealed weapon permit and the permission of the school authorities.

A person is prohibited from carrying a loaded firearm onto school grounds while school or a school function is in session. This does not apply if the person has a concealed weapons permit.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

Schools should be safe places. This bill is designed to protect the safety of children. Guns take away students' feelings of safety. Students are taught to say no to drugs but cannot say no when faced with a gun. Guns cannot be in courtrooms or jails and they should not be in schools.

**TESTIMONY AGAINST:**

This bill as written is too broad. A sportsman returning from a hunting trip could not pick up his wife from school under this proposed legislation. This infringes on the right to keep and bear arms guaranteed under the Constitution and hurts the rights of law-abiding citizens. At a minimum, the legislation should distinguish between inside a school building and outside school buildings.

**TESTIFIED:** PRO: Dwayne Slate, Washington State School Directors' Association; Samara Mohamed, Matt Erickson, Tom Owen, Jim White, Kimberly Hall (students); Marcia Costello, Office of the Superintendent of Public Instruction; Walter Ball, Association of Washington School Principals; CON: Al Woodridge, Washington St Rifle and Pistol Association; Ted Cowan, King County Outdoor Sports Council; Howard Risdon, Washington Arms Collector