
SUBSTITUTE SENATE BILL 6106

State of Washington

52nd Legislature

1992 Regular Session

By Senate Committee on Law & Justice (originally sponsored by Senators Nelson and Rasmussen)

Read first time 1/30/92.

1 AN ACT Relating to weapons in restricted areas; amending RCW
2 9.41.300; and prescribing penalties.

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

4 **Sec. 1.** RCW 9.41.300 and 1985 c 428 s 2 are each amended to read
5 as follows:

6 (1) It is unlawful for any person to enter the following places
7 when he or she knowingly possesses or knowingly has under his or her
8 control a (~~firearm~~) weapon:

9 (a) The restricted access areas of a jail, or of a law enforcement
10 facility, or any place used for the confinement of a person (i)
11 arrested for, charged with, or convicted of an offense, (ii) charged
12 with being or adjudicated to be a juvenile offender as defined in RCW
13 13.40.020, (iii) held for extradition or as a material witness, or (iv)
14 otherwise confined pursuant to an order of a court, except an order

1 under chapter 13.32A or 13.34 RCW. Restricted access areas do not
2 include common areas of egress or ingress open to the general public;

3 (b) A courtroom, jury room, the waiting area adjacent to the
4 courtroom used by participants in court proceedings, or judge's
5 chamber(~~(, while either is being used for any judicial proceeding))~~,
6 unless exempted by subsection (6) of this section. This does not
7 include common areas or areas of egress and ingress of the courthouse
8 or any building used as a courthouse. However, the court administrator
9 may employ weapon detection devices in common areas adjacent to
10 restricted areas.

11 The court administrator shall designate and clearly mark the
12 restricted areas and shall also display a sign at entrances to a
13 courthouse or any building used as a courthouse that explains the
14 prohibition against weapons in a courtroom, in a waiting area adjacent
15 to the courtroom used by participants in court proceedings, and judge's
16 chambers. Any person knowingly possessing or knowingly having under
17 his or her control a weapon in violation of this subsection (1)(b) is
18 guilty of a class C felony according to chapter 9A.20 RCW;

19 (c) The restricted access areas of a public mental health facility
20 certified by the department of social and health services for inpatient
21 hospital care and state institutions for the care of the mentally ill,
22 excluding those facilities solely for evaluation and treatment.
23 Restricted access areas do not include common areas of egress and
24 ingress open to the general public; or

25 (d) That portion of an establishment classified by the state liquor
26 control board as off-limits to persons under twenty-one years of age.

27 (2) Notwithstanding RCW 9.41.290, cities, towns, counties, and
28 other municipalities may enact laws and ordinances:

29 (a) Restricting the discharge of firearms in any portion of their
30 respective jurisdictions where there is a reasonable likelihood that

1 humans, domestic animals, or property will be jeopardized. Such laws
2 and ordinances shall not abridge the right of the individual guaranteed
3 by Article I, section 24 of the state Constitution to bear arms in
4 defense of self or others; and

5 (b) Restricting the possession of firearms in any stadium or
6 convention center, operated by a city, town, county, or other
7 municipality, except that such restrictions shall not apply to:

8 (i) Any firearm in the possession of a person licensed under RCW
9 9.41.070; or

10 (ii) Any showing, demonstration, or lecture involving the
11 exhibition of firearms.

12 (3) The perimeter of the premises of any specific location covered
13 by subsection (1) of this section shall be posted at reasonable
14 intervals to alert the public as to the existence of any law
15 restricting the possession of firearms on the premises.

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

17 (a) A person engaged in military activities sponsored by the
18 federal or state governments, while engaged in official duties;

19 (b) Law enforcement personnel; or

20 (c) Security personnel while engaged in official duties.

21 (5) Subsection (1)(a) of this section does not apply to a person
22 licensed pursuant to RCW 9.41.070 who, upon entering the place or
23 facility, directly and promptly proceeds to the administrator of the
24 facility or the administrator's designee and obtains written permission
25 to possess the firearm while on the premises or checks his or her
26 firearm. The person may reclaim the firearms upon leaving but must
27 immediately and directly depart from the place or facility.

28 (6) Subsection (1)(b) of this section does not apply to a judge,
29 attorney, or ~~((court))~~ courthouse employee ~~((or to any person licensed~~
30 ~~under RCW 9.41.070 who, before entering the restricted area, directly~~

1 ~~and promptly proceeds to the court administrator or the administrator's~~
2 ~~designee and obtains))~~ who has obtained written permission from the
3 court administrator to possess the firearm. The court administrator
4 may not withhold written permission from any judge, attorney, or
5 courthouse employee who otherwise lawfully owns or possesses a firearm.
6 Any other person who is in lawful possession of a firearm under RCW
7 9.41.070 must, before entering the restricted area, directly and
8 promptly proceed to the court administrator and check his or her
9 firearm. The person may reclaim the firearm upon leaving the
10 restricted area.

11 (7) Subsection (1)(c) of this section does not apply to any
12 administrator or employee of the facility or to any person who, upon
13 entering the place or facility, directly and promptly proceeds to the
14 administrator of the facility or the administrator's designee and
15 obtains written permission to possess the firearm while on the
16 premises.

17 (8) Subsection (1)(d) of this section does not apply to the
18 proprietor of the premises or his or her employees while engaged in
19 their employment.

20 (9) Any person violating subsection (1) of this section is guilty
21 of a misdemeanor.

22 (10) "Weapon" as used in this section means any firearm, explosive
23 as defined in RCW 70.74.010, or instrument or weapon listed in RCW
24 9.41.250.