

1 5307-S AAS 3/15/93

2 **SSB 5307** - S AMD 000274  
3 By Senators Skratek and Hargrove

4 Adopted 3/13/93

5 On page 2, line 8, after "schools" insert "for the remainder of the  
6 school year in which the violation occurs"

7 **SSB 5307** - S AMD  
8 By Senator Quigley

9 Adopted 3/13/93

10 On page 2, line 23, strike "or" and insert the following:  
11 "(f) A parent, grandparent, or legal guardian who has been issued  
12 a license under RCW 9.41.070, while picking up or dropping off a  
13 student; or"

14 On page 2, line 24, strike "(f)" and insert "(g)"

15 **SSB 5307** - S AMD 000275  
16 By Senators Skratek and Hargrove

17 Adopted 3/13/93

18 On page 2, line 23, strike "or"

19 On page 2, line 26, after "vehicle" insert "; or  
20 (g) Any person who is in lawful possession of an unloaded, secured  
21 firearm in a vehicle"

22 **SSB 5307** - S AMD  
23 By Senator Hochstatter

24 Adopted 3/13/93 - Roll Call 30-15

25 On page 2, beginning on line 26, after "vehicle" insert ";  
26 (g) Any law enforcement officer of any federal, state, or local  
27 government agency"

1 **SSB 5307** - S AMD - 000300

2 By Senator Nelson

3 Adopted 3/15/93

4 On page 2, after line 20, insert the following:

5 "(i) Pursuant to 18 USC 922, "GUN-FREE ZONE" signs shall be posted  
6 around school facilities giving warning of the prohibition of the  
7 possession of firearms on school grounds."

8 **SSB 5307** - S AMD 000277

9 By Senators Skratek and Hargrove

10 Adopted 3/15/93

11 On page 2, after line 26, insert the following:

12 "NEW SECTION. Sec. 2. A new section is added to chapter 28A.320  
13 RCW to read as follows:

14 Each school district and private school shall report by January  
15 31st of each year all known incidents involving the possession of  
16 weapons on school premises, transportation systems, or athletic  
17 facilities in violation of RCW 9.41.280 in the year preceding the  
18 report. The superintendent shall compile the data and report it to the  
19 house of representatives, the senate, and the governor."

20 Renumber the remaining sections consecutively and correct internal  
21 references accordingly.

22 **SSB 5307** - S AMD

23 By Senators Skratek and Hargrove

24 Adopted 3/15/93

25 On page 1, line 2 of the title, after "28A.635.060;" insert "adding  
26 a new section to chapter 28A.320 RCW;"

27 **SSB 5307** - S AMD

28 By Senator Roach

29 Adopted 3/15/93

30 On page 2, beginning on line 27, strike all of Section 2.

1 **SSB 5307** - S AMD  
2 By Senator Roach

3 Adopted 3/15/93

4 On page 4, line 29, strike "3" and insert "2"

5 **SSB 5307** - S AMD  
6 By Senator Roach

7 Adopted 3/15/93

8 On page 1, line 2 of the title, after "9.41.280" strike "  
9 9.41.300,"

10 **SSB 5307** - S AMD  
11 By Senator Roach

12 Adopted 3/15/93

13 On page 5, after line 15, insert a new section as follows:

14 "**Sec. 4.** RCW 10.31.100 and 1988 c 190 s 1 are each amended to read  
15 as follows:

16 A police officer having probable cause to believe that a person has  
17 committed or is committing a felony shall have the authority to arrest  
18 the person without a warrant. A police officer may arrest a person  
19 without a warrant for committing a misdemeanor or gross misdemeanor  
20 only when the offense is committed in the presence of the officer,  
21 except as provided in subsections (1) through (~~(8)~~) (9) of this  
22 section.

23 (1) Any police officer having probable cause to believe that a  
24 person has committed or is committing a misdemeanor or gross  
25 misdemeanor, involving physical harm or threats of harm to any person  
26 or property or the unlawful taking of property or involving the use or  
27 possession of cannabis, or involving the acquisition, possession, or  
28 consumption of alcohol by a person under the age of twenty-one years  
29 under RCW 66.44.270 shall have the authority to arrest the person.

30 (2) A police officer shall arrest and take into custody, pending  
31 release on bail, personal recognizance, or court order, a person  
32 without a warrant when the officer has probable cause to believe that:

1 (a) An order has been issued of which the person has knowledge  
2 under RCW 10.99.040(2), 10.99.050, 26.09.060, 26.44.063, chapter 26.26  
3 RCW, or chapter 26.50 RCW restraining the person and the person has  
4 violated the terms of the order restraining the person from acts or  
5 threats of violence or excluding the person from a residence or, in the  
6 case of an order issued under RCW 26.44.063, imposing any other  
7 restrictions or conditions upon the person; or

8 (b) The person is eighteen years or older and within the preceding  
9 four hours has assaulted that person's spouse, former spouse, or a  
10 person eighteen years or older with whom the person resides or has  
11 formerly resided and the officer believes: (i) A felonious assault has  
12 occurred; (ii) an assault has occurred which has resulted in bodily  
13 injury to the victim, whether the injury is observable by the  
14 responding officer or not; or (iii) that any physical action has  
15 occurred which was intended to cause another person reasonably to fear  
16 imminent serious bodily injury or death. Bodily injury means physical  
17 pain, illness, or an impairment of physical condition. When the  
18 officer has probable cause to believe that spouses, former spouses, or  
19 other persons who reside together or formerly resided together have  
20 assaulted each other, the officer is not required to arrest both  
21 persons. The officer shall arrest the person whom the officer believes  
22 to be the primary physical aggressor. In making this determination,  
23 the officer shall make every reasonable effort to consider: (i) The  
24 intent to protect victims of domestic violence under RCW 10.99.010;  
25 (ii) the comparative extent of injuries inflicted or serious threats  
26 creating fear of physical injury; and (iii) the history of domestic  
27 violence between the persons involved.

28 (3) Any police officer having probable cause to believe that a  
29 person has committed or is committing a violation of any of the  
30 following traffic laws shall have the authority to arrest the person:

31 (a) RCW 46.52.010, relating to duty on striking an unattended car  
32 or other property;

33 (b) RCW 46.52.020, relating to duty in case of injury to or death  
34 of a person or damage to an attended vehicle;

35 (c) RCW 46.61.500 or 46.61.530, relating to reckless driving or  
36 racing of vehicles;

37 (d) RCW 46.61.502 or 46.61.504, relating to persons under the  
38 influence of intoxicating liquor or drugs;

1 (e) RCW 46.20.342, relating to driving a motor vehicle while  
2 operator's license is suspended or revoked;

3 (f) RCW 46.61.525, relating to operating a motor vehicle in a  
4 negligent manner.

5 (4) A law enforcement officer investigating at the scene of a motor  
6 vehicle accident may arrest the driver of a motor vehicle involved in  
7 the accident if the officer has probable cause to believe that the  
8 driver has committed in connection with the accident a violation of any  
9 traffic law or regulation.

10 (5) Any police officer having probable cause to believe that a  
11 person has committed or is committing a violation of RCW 88.12.100  
12 shall have the authority to arrest the person.

13 (6) An officer may act upon the request of a law enforcement  
14 officer in whose presence a traffic infraction was committed, to stop,  
15 detain, arrest, or issue a notice of traffic infraction to the driver  
16 who is believed to have committed the infraction. The request by the  
17 witnessing officer shall give an officer the authority to take  
18 appropriate action under the laws of the state of Washington.

19 (7) Any police officer having probable cause to believe that a  
20 person has committed or is committing any act of indecent exposure, as  
21 defined in RCW 9A.88.010, may arrest the person.

22 (8) A police officer may arrest and take into custody, pending  
23 release on bail, personal recognizance, or court order, a person  
24 without a warrant when the officer has probable cause to believe that  
25 an order has been issued of which the person has knowledge under  
26 chapter 10.14 RCW and the person has violated the terms of that order.

27 (9) A police officer having probable cause to believe that a person  
28 illegally possesses or illegally has possessed a firearm or other  
29 dangerous weapon on private or public elementary or secondary school  
30 premises shall have the authority to arrest the person.

31 (10) Except as specifically provided in subsections (2), (3), (4),  
32 and (6) of this section, nothing in this section extends or otherwise  
33 affects the powers of arrest prescribed in Title 46 RCW.

34 (~~(10)~~) (11) No police officer may be held criminally or civilly  
35 liable for making an arrest pursuant to RCW 10.31.100(2) or (8) if the  
36 police officer acts in good faith and without malice."

37 **SSB 5307** - S AMD - 000299  
38 By Senator Roach

1        On page 1, line 2 of the title, after "9.41.300" insert "10.31.100"

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