
SUBSTITUTE HOUSE BILL 1059

State of Washington

53rd Legislature

1993 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Franklin, Scott, Anderson, R. Fisher, Thibaudeau, Ludwig, Pruitt, Jacobsen, Flemming, J. Kohl, Wineberry, Riley, G. Cole, Forner, Appelwick, Johanson, Karahalios and Wang)

Read first time 02/26/93.

1 AN ACT Relating to the possession of weapons in court facilities;
2 amending RCW 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
15 under chapter 13.32A or 13.34 RCW. Restricted access areas do not
16 include common areas of egress or ingress open to the general public;

17 (b) (~~A courtroom or judge's chamber, while either is being used~~
18 ~~for any judicial proceeding. This does not include common areas of~~
19 ~~egress and ingress of the courthouse)) Those areas in any building~~

1 which are used in connection with court proceedings, including
2 courtrooms, jury rooms, judge's chambers, offices and areas used to
3 conduct court business, waiting areas, and corridors adjacent to areas
4 used in connection with court proceedings. The restricted areas do not
5 include common areas of ingress and egress to the building that is used
6 in connection with court proceedings, when it is possible to protect
7 court areas without restricting ingress and egress to the building.
8 The restricted areas shall be the minimum necessary to fulfill the
9 objective of this subsection (1)(b). The local court shall provide
10 either a locked box and key to a weapon owner for weapon storage, or
11 shall designate a court official to receive weapons for safekeeping,
12 during the owner's visit to restricted areas of the building. The
13 locked box or designated official shall be located within the same
14 building used in connection with court proceedings. The court shall be
15 liable for damage to or loss of a weapon either placed in a locked box
16 or left with a court official during the owner's visit to restricted
17 areas of the building.

18 The local court shall designate and clearly mark those areas where
19 weapons are prohibited, and shall post notices at each entrance to the
20 building of the prohibition against weapons in the restricted areas;

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

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

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

31 (a) Restricting the discharge of firearms in any portion of their
32 respective jurisdictions where there is a reasonable likelihood that
33 humans, domestic animals, or property will be jeopardized. Such laws
34 and ordinances shall not abridge the right of the individual guaranteed
35 by Article I, section 24 of the state Constitution to bear arms in
36 defense of self or others; and

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

1 (i) Any firearm in the possession of a person licensed under RCW
2 9.41.070; or
3 (ii) Any showing, demonstration, or lecture involving the
4 exhibition of firearms.
5 (3) The perimeter of the premises of any specific location covered
6 by subsection (1) of this section shall be posted at reasonable
7 intervals to alert the public as to the existence of any law
8 restricting the possession of firearms on the premises.
9 (4) Subsection (1) of this section does not apply to:
10 (a) A person engaged in military activities sponsored by the
11 federal or state governments, while engaged in official duties;
12 (b) Law enforcement personnel; or
13 (c) Security personnel while engaged in official duties.
14 (5) Subsection (1)(a) of this section does not apply to a person
15 licensed pursuant to RCW 9.41.070 who, upon entering the place or
16 facility, directly and promptly proceeds to the administrator of the
17 facility or the administrator's designee and obtains written permission
18 to possess the firearm while on the premises or checks his or her
19 firearm. The person may reclaim the firearms upon leaving but must
20 immediately and directly depart from the place or facility.
21 ~~(6) ((Subsection (1)(b) of this section does not apply to a judge~~
22 ~~or court employee or to any person licensed under RCW 9.41.070 who,~~
23 ~~before entering the restricted area, directly and promptly proceeds to~~
24 ~~the court administrator or the administrator's designee and obtains~~
25 ~~written permission to possess the firearm.~~
26 ~~(7))~~ Subsection (1)(c) of this section does not apply to any
27 administrator or employee of the facility or to any person who, upon
28 entering the place or facility, directly and promptly proceeds to the
29 administrator of the facility or the administrator's designee and
30 obtains written permission to possess the firearm while on the
31 premises.
32 ~~((+8))~~ (7) Subsection (1)(d) of this section does not apply to the
33 proprietor of the premises or his or her employees while engaged in
34 their employment.
35 ~~((+9))~~ (8) Any person violating subsection (1) of this section is
36 guilty of a misdemeanor.

1 (9) "Weapon" as used in this section means any firearm, explosive
2 as defined in RCW 70.74.010, or instrument or weapon listed in RCW
3 9.41.250.

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