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**HOUSE BILL 2079**

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**State of Washington**                      **68th Legislature**                      **2024 Regular Session**

**By** Representatives Schmidt, Riccelli, Low, Christian, Klicker, Ormsby, McClintock, and Couture

Prefiled 01/02/24. Read first time 01/08/24. Referred to Committee on Community Safety, Justice, & Reentry.

1            AN ACT Relating to improving school safety by extending and  
2 increasing penalties for interference by, or intimidation by threat  
3 of, force or violence at schools and athletic activities; amending  
4 RCW 28A.635.090 and 28A.635.100; creating a new section; and  
5 prescribing penalties.

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

7            NEW SECTION.    **Sec. 1.**    (1) The legislature finds that incidents  
8 of violence in elementary and secondary schools raise concerns about  
9 ensuring and promoting school safety. For learning to occur, schools  
10 must first be safe places for students and staff. The legislature  
11 recognizes that violent behavior tends to escalate if tolerated, thus  
12 it is the intent of the legislature to provide targeted and  
13 appropriate sanctions for the interference with school activities by  
14 force or violence before it rises to the level of substantial or  
15 grievous bodily harm.

16            (2) The legislature understands that extracurricular athletics  
17 provide valuable opportunities for students to develop social and  
18 personal skills that can be useful throughout their lives. These  
19 activities also benefit other students and spectators by building  
20 school spirit, unity, community support, and community identity.  
21 Extracurricular athletics would not be possible without the

1 commitment of officials, judges, referees, and volunteers who work at  
2 the events for little or no financial gain. The legislature finds  
3 that the values engendered in interscholastic activities are being  
4 undermined by participants and spectators who do not respect the  
5 commitment of these officials. Increasingly, these people are  
6 expressing their dissatisfaction through inappropriate verbal abuse  
7 and behavior directed at the officials. The legislature recognizes  
8 that officials, such as judges and referees, and volunteers acting as  
9 officials, for extracurricular athletic activities of elementary and  
10 secondary school students are particularly vulnerable to  
11 inappropriate conduct because their attention is focused on the  
12 athletic activities. Thus, the legislature intends to provide  
13 additional support and protection for officials conducting  
14 interscholastic events.

15 (3) The legislature finds that violence against public and  
16 private students and staff is unacceptable. Thus, to promote a safe  
17 learning environment, the legislature intends to increase the penalty  
18 for those perpetrating violence against students and school staff to  
19 match the penalty for assault on school bus drivers.

20 **Sec. 2.** RCW 28A.635.090 and 2003 c 53 s 169 are each amended to  
21 read as follows:

22 (1) It (~~(shall be)~~) is unlawful for any person, singly or in  
23 concert with others, to interfere by force or violence with (~~any~~  
24 ~~administrator, teacher, classified employee, person under contract~~  
25 ~~with the school or school district, or student of any common school~~  
26 ~~who~~) an employee or contractor of a public or private elementary or  
27 secondary school, an elementary or secondary student, or an official,  
28 or volunteer acting as an official, for extracurricular athletic  
29 activities of elementary or secondary students, while that person is  
30 in the peaceful discharge or conduct of his or her duties or studies.  
31 (~~(Any such interference by force or violence committed by a student~~  
32 ~~shall be grounds for immediate suspension or expulsion of the~~  
33 ~~student.)~~)

34 (2) If a public school student interferes as described in  
35 subsection (1) of this section, the interference is grounds for the  
36 student's emergency removal, subject to RCW 28A.600.015. If a public  
37 school student interferes as described in subsection (1) of this  
38 section during extracurricular athletic activities, the student may

1 be excluded from participating in or attending that activity for up  
2 to 12 months.

3 (3) A person violating this section is guilty of a ((gross  
4 misdemeanor and shall be fined not more than five hundred dollars, or  
5 imprisoned in jail not more than six months, or both such fine and  
6 imprisonment)) class C felony punishable under chapter 9A.20 RCW.  
7 Upon conviction, a person, other than a student, must be excluded  
8 from entering the school where the crime was committed or from  
9 attending the extracurricular athletic activities in which the crime  
10 was committed, for a period of up to 12 months.

11 (4) As used in this section, "public school" has the same meaning  
12 as in RCW 28A.150.010.

13 **Sec. 3.** RCW 28A.635.100 and 2003 c 53 s 170 are each amended to  
14 read as follows:

15 (1) It ((shall be)) is unlawful for any person, singly or in  
16 concert with others, to intimidate by threat of force or violence  
17 ((any administrator, teacher, classified employee, or student of any  
18 common school who)) an employee or contractor of a public or private  
19 elementary or secondary school, an elementary or secondary student,  
20 or an official, or volunteer acting as an official, for  
21 extracurricular athletic activities of elementary or secondary  
22 students, while that person is in the peaceful discharge or conduct  
23 of his or her duties or studies.

24 (2) A person violating this section is guilty of a ((gross  
25 misdemeanor and shall be fined not more than five hundred dollars, or  
26 imprisoned in jail not more than six months, or both such fine and  
27 imprisonment)) class C felony punishable under chapter 9A.20 RCW.

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