
Community Safety Committee

HB 1085

Brief Description: Improving school safety by extending penalties for interference by, or intimidation by threat of, force or violence at schools and extracurricular activities and requiring schools to notify the public of such penalties.

Sponsors: Representatives Schmidt, Timmons, Waters, Leavitt, Ybarra, McClintock, Nance, Low, Volz, McEntire, Griffey, Barkis, Eslick, Couture and Klicker.

Brief Summary of Bill

- Expands the school-related crimes of Interference by Force or Violence and Intimidation by Threat of Force or Violence, and increases the penalties for Interference by Force or Violence.
- Requires the Office of the Superintendent of Public Instruction to develop a standard signage form notifying the public of the offenses of Interference by Force or Violence and Intimidation by Threat of Force or Violence and possible penalties, and requires such signage to be displayed at public school gymnasiums, auditoriums, and athletic fields.

Hearing Date: 1/27/25

Staff: Lena Langer (786-7192).

Background:

Classification of Crimes.

Crimes are classified as misdemeanors, gross misdemeanors, or class A, B, or C felonies. While there are exceptions, the classification of a crime generally determines the maximum term of confinement and fine for an offense. For each classification, the maximum terms of confinement and maximum fines are as follows:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Classification	Maximum Confinement	Maximum Fine
Misdemeanor	90 Days	\$1,000
Gross Misdemeanor	364 Days	\$5,000
Class C Felony	5 Years	\$10,000
Class B Felony	10 Years	\$20,000
Class A Felony	Life	\$50,000

Interference or Intimidation by Force or Violence.

It is a gross misdemeanor for a person to interfere by force or violence with a teacher, administrator, classified employee, contract employee, or student who is in the peaceful discharge or conduct of his or her duties or studies. The penalty for Interference by Force or Violence is a fine of up to \$500, confinement for not more than six months, or both a fine and confinement.

A student who interferes by force or violence with a teacher, administrator, classified employee, contract employee, or student is subject to immediate suspension or expulsion.

It is a gross misdemeanor for a person to intimidate by threat of force or violence a teacher, administrator, classified employee, or student who is in the peaceful discharge or conduct of his or her duties or studies. The penalty for Intimidation by Threat of Force or Violence is a fine of up to \$500, confinement for not more than six months, or both a fine and confinement.

Emergency Removal of Students.

Emergency removals must end or be converted to another form of corrective action within 10 school days from the date of the emergency removal from school. The rules of the Superintendent of Public Instruction provide that a student may be removed from their school placement when the school district has sufficient cause to believe that the student's presence poses either an immediate and continuing danger to other students or school personnel or an immediate and continuing threat of material and substantial disruption of the educational process.

The Office of the Superintendent of Public Instruction.

In addition to its constitutional charge of supervising all matters pertaining to public schools, the Superintendent of Public Instruction and its office have numerous and broad responsibilities prescribed in statute, including:

- making rules and regulations necessary for the administration of public education requirements;
- preparing courses of study and other materials and books for the discharge of education duties;

- fulfilling financial responsibilities, including distributing legislatively allocated funds to districts for the operation of the public school system, and awarding numerous state and federally funded grants; and
- satisfying numerous reporting and other duties assigned by the Legislature.

Summary of Bill:

The offenses of Interference by Force or Violence and Intimidation by Threat of Force or Violence are expanded to include the interference by force or violence with, or intimidation by threat of force or violence of, an employee or contractor of a public or private elementary or secondary school, an elementary or secondary student, or an official or volunteer acting as an official, for extracurricular athletic activities of elementary or secondary students, while that person is in the peaceful discharge or conduct of his or her duties or studies.

A public school student's interference by force or violence is grounds for emergency removal, subject to the statutory process for such removals. If a public school student interferes by force or violence during extracurricular athletic activities, the student may be excluded from participating in or attending that activity for up to 12 months.

The penalty for Interference by Force or Violence is a fine of up to \$1,000, rather than \$500, confinement for not more than 364 days, rather than six months, or both a fine and confinement.

A person, other than a student, convicted of Interference by Force or Violence must be excluded from entering the school where the offense was committed, or from attending the extracurricular athletic activities in which the offense was committed, for no less than 12 months and no more than 18 months.

The Office of the Superintendent of Public Instruction must develop a standard signage form notifying the public of the offenses of Interference by Force or Violence and Intimidation by Threat of Force or Violence and possible penalties of both offenses. The signage must be displayed at any entrance to a public school gymnasium or auditorium, and wherever public notices are placed at public school athletic fields.

Appropriation: None.

Fiscal Note: Requested on January 22, 2025.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.