

SENATE BILL REPORT

SB 5098

As of February 21, 2025

Title: An act relating to restricting the possession of weapons on the premises of state or local public buildings, parks or playground facilities where children are likely to be present, and county fairs and county fair facilities.

Brief Description: Restricting the possession of weapons on the premises of state or local public buildings, parks or playground facilities where children are likely to be present, and county fairs and county fair facilities.

Sponsors: Senators Valdez, Saldaña, Dhingra, Frame, Nobles, Orwall, Pedersen, Salomon, Stanford, Wellman and Wilson, C..

Brief History:

Committee Activity: Law & Justice: 1/14/25, 1/16/25 [DPS, DNP].

Ways & Means: 2/06/25 [w/oRec-TRAN, DNP].

Transportation: 2/24/25.

Brief Summary of Bill

- Prohibits weapons at certain park facilities where children are likely to be present, certain state or local public buildings, and county fairs when the fair is open to the public.
- Requires facilities where weapons are prohibited to, as soon as practicable, post signage at common public access points alerting the public to the prohibitions.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5098 be substituted therefor, and the substitute bill do pass.

Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Holy, Ranking Member;

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.

Lovick, Salomon and Valdez.

Minority Report: Do not pass.

Signed by Senators Fortunato, Torres and Wagoner.

Staff: Joe McKittrick (786-7287)

SENATE COMMITTEE ON TRANSPORTATION

Staff: Daniel Masterson (786-7454)

Background: Weapons Prohibited in Designated Places. It is a gross misdemeanor offense for any person to enter the following places while knowingly possessing a weapon:

- the restricted access areas of jails and law enforcement facilities;
- courtrooms and other areas adjacent to or used in conjunction with court proceedings;
- the restricted access area of certain public health facilities;
- taverns and other places designated off-limits to persons under age 21 by Liquor and Cannabis Board rules;
- the restricted access areas of commercial service airports;
- public libraries;
- certain zoos and aquariums; and
- transit stations and transit facilities.

Signage must be posted at reasonable intervals along the perimeter of the above locations alerting the public of any law restricting the possession of firearms on the premises.

These restrictions do not apply to:

- persons engaged in military activities sponsored by the federal or state governments, while engaged in official duties;
- security personnel while engaged in official duties;
- certain correctional personnel or community corrections officers except while in a courthouse as a party to certain court proceedings; or
- law enforcement personnel while in a courthouse as a party to certain court proceedings.

The prohibition against carrying weapons in the restricted access areas of jails and law enforcement facilities does not apply to persons who maintain a valid concealed pistol license so long as the person, upon entering the facility, promptly receives written permission to possess the firearm or checks the firearm in with the facility.

The prohibition against carrying weapons in the restricted access areas of certain public health facilities does not apply to the facility employees or any person who, upon entering, promptly obtains written permission to possess the firearm.

The prohibition against carrying weapons at taverns and other places designated off-limits to persons under age 21 does not apply to the proprietor or employees of the business while engaged in their employment.

The prohibition against carrying weapons at certain zoos and aquariums does not apply to employees of the facilities while engaged in their employment so long as the weapon is owned by the facility and maintained for the purpose of protecting its employees, animals, or the visiting public.

The prohibition against carrying weapons at libraries, certain zoos and aquariums, and transit stations and facilities do not apply to persons who maintain a valid concealed pistol license, or the activities of color guards and honor guards related to burial or interment ceremonies.

Summary of Bill: Weapons Prohibitions. New locations are added to the list of locations where it is a gross misdemeanor to enter while knowingly possessing a weapon.

Weapons are prohibited on the premises of a city's, town's, county's or other municipality's neighborhood, community, or regional park facilities at which children are likely to be present. Local authorities must designate the park facilities within its boundaries where children are likely to be present. Such facilities include, but are not limited to, playgrounds or children's play areas, sports fields, swim beaches or water play areas, teen centers, community centers or performing arts centers, skate parks, and other recreational facilities likely to be used by children or youth.

Weapons are prohibited on the premises of state or local public buildings where "state or local public building" means a building or part of a building owned, leased, held or used by the governmental entity if public employees are regularly present for the purposes of performing their official duties and is not regularly used, and not intended to be used, as a place of residence. State and local public buildings do not include Washington State Department of Transportation properties and facilities such as:

- ferry terminals;
- ferry holding lanes;
- safety rest areas; and
- train depots used primarily by the general traveling public.

In such areas weapons must remain in locked cases or remain in a locked portion of a vehicle.

Weapons are prohibited on the premises of county fairs and county fair facilities during the hours of operation in which the fair is open to the public. "County fair" means fairs organized to serve the interests of single counties and are under county commissioner jurisdiction. This prohibition does not apply to gun shows operating on county fairgrounds.

Signage. The requirement to post signage is amended to require all locations where weapons are prohibited to, as soon as practicable, post signs at common public access points rather than at reasonable intervals alerting the public to the prohibition against carrying weapons.

Exemptions. The newly added weapons prohibitions at park facilities where children are likely to be present, state or local public buildings, and county fairs do not apply to the activities of color guards and honor guards related to burial or interment ceremonies or individuals who maintain a valid concealed pistol license.

Definition. The definition of weapon is amended to mean any firearm, explosive as defined in statute, or any instrument of the kind usually known as slungshot, sand club, metal knuckles, or any knife, dagger, dirk, or other similar instrument that is capable of causing death or bodily injury, and is commonly used with the intent to cause death or bodily injury.

EFFECT OF CHANGES MADE BY LAW & JUSTICE COMMITTEE (First Substitute):

- Exempts individuals who maintain a valid concealed pistol license from the weapons prohibitions related to park facilities where children are likely to be present, state or local public buildings, and county fairgrounds and facilities.
- Clarifies the definition of weapon.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill (Law & Justice): *The committee recommended a different version of the bill than what was heard.* PRO: This is a necessary step to enhance public safety in Washington. These locations are often bustling with people which makes the dangers of firearms particularly acute. Prohibiting firearms at these locations will stop preventable tragedies. This is about protecting lives. Access to firearms increases the likelihood an argument turns deadly. This will create public spaces where family can gather free from the threat of gun violence. This closes a gap in current law. Young people are avoiding parks because of the fear of gun violence. Washington youth deserve the opportunity to enjoy public spaces without the fear of gun violence. Firearms have no place in these public places and only increases the risk of violence, intimidation, and trauma. We all deserve to live in a world free from gun violence. Gun violence is devastating and often leads to irreparable harms. Studies show, restricting weapons in public places leads to a reduction in gun violence. This is a meaningful step ensuring these

locations are as safe as possible for kids and families. No one should have to worry that a minor altercation will become deadly just because someone is armed.

CON: The open carry of firearms at these locations poses no actual criminal threat, and concealed pistol license holders rarely commit crimes. The public will not know which buildings are owned or leased by the government and may violate this law by simply going into the wrong building. Survivors of crimes just want to live normal lives and this includes the right to protect themselves. Firearms level the fight between women and their attackers. This bill will allow local governments to create a nearly limitless number of gun free zones with little or no oversight. This guarantees people will leave more guns in their cars which will lead to more stolen guns and more gun crimes. Lawful gun owners are not the problem. While this is well intentioned, such a blanket ban on weapons will infringe on the rights of law-abiding citizens. Disarming citizens does not enhance safety, and those who will use a gun against the law will not comply with these prohibitions. This will prevent domestic violence survivors from protecting their families. Law-abiding citizens should be allowed to carry firearms to protect themselves and families.

OTHER: While it is important to keep Washingtonians safe, rather than mandate additional statewide restrictions, these decisions should be made at the local community level. These restrictions may make sense in urban areas, most of Washington is not urban. This will also create a large cost for local governments.

Persons Testifying (Law & Justice): PRO: Senator Javier Valdez, Prime Sponsor; Liz Hjelmesth; Saeran Dewar; Karyn Brownson, Seattle & King County Public Health; Jane Weiss; Paul Dillon, Spokane City Council Member; Mike Van Dyke, WA Chapter of the America Academy of Pediatrics (WACAAP); Jan Weisel, Moms Demand Action.

CON: Christa (Teagan) Levine; Aoibheann Cline, NRA; Brian Keelean, WA State Rifle & Pistol Association; Jane Milhans; Teo Morca; Christa (Teagan) Levine; Hiedi Lee; Linda Wojciechowski.

OTHER: Paul Jewell, Washington State Association of Counties.

Persons Signed In To Testify But Not Testifying (Law & Justice): PRO: Amy Bailey; Sarah Rumbaugh, Council Member, City of Tacoma; Margaret Heldring, Grandmothers Against Gun Violence; Halle Norenberg, Students Demand Action; Gwen Loosmore, WA PTA; Mahiki Malldi; Robert Schentrup, Brady; Neal Black, Kirkland City Council Member; Ann Madsen, Moms Demand Action; Paula Barnes; AP Diaz, City of Seattle; Michael Noack.

CON: Jeff Pack, Me; Jane Milhans; Michael Strauss; Phil Tamburlin; Jerry Koch, 110 Cottage Lane; Amanda McKinney, Yakima County; Nathaniel Port; Cory Barnes; Jacob Lynde; Barbara Gulley; Jo Bogner; Rebecca Faust, N/A; Mark Pink; Michael McKinley; Lennard Nes Alcid, Young Gun Owners of Washington; Micheal Picon II; Paul Sass, Tacoma Rifle and Revolver Club; Lysie Holt; Bea Christophersen; Bea Christophersen;

Matthew Sullivan; Anderson Kim; ERIK NELSON; Kyle McMahon; Dennis N Simmelink,
USofA Constitution 2nd Amendment; Paul Sass; Amparo Lopez.