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**SUBSTITUTE SENATE BILL 5098**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senate Law & Justice (originally sponsored by Senators Valdez, Saldaña, Dhingra, Frame, Nobles, Orwall, Pedersen, Salomon, Stanford, Wellman, and C. Wilson)

READ FIRST TIME 01/17/25.

1       AN ACT Relating to restricting the possession of weapons on the  
2 premises of state or local public buildings, parks or playground  
3 facilities where children are likely to be present, and county fairs  
4 and county fair facilities; and amending RCW 9.41.300.

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

6       **Sec. 1.** RCW 9.41.300 and 2024 c 285 s 1 are each amended to read  
7 as follows:

8       (1) It is unlawful for any person to enter the following places  
9 when he or she knowingly possesses or knowingly has under his or her  
10 control a weapon:

11       (a) The restricted access areas of a jail, or of a law  
12 enforcement facility, or any place used for the confinement of a  
13 person (i) arrested for, charged with, or convicted of an offense,  
14 (ii) held for extradition or as a material witness, or (iii)  
15 otherwise confined pursuant to an order of a court, except an order  
16 under chapter 13.32A or 13.34 RCW. Restricted access areas do not  
17 include common areas of egress or ingress open to the general public;

18       (b) Those areas in any building which are used in connection with  
19 court proceedings, including courtrooms, jury rooms, judge's  
20 chambers, offices and areas used to conduct court business, waiting  
21 areas, and corridors adjacent to areas used in connection with court

1 proceedings. The restricted areas do not include common areas of  
2 ingress and egress to the building that is used in connection with  
3 court proceedings, when it is possible to protect court areas without  
4 restricting ingress and egress to the building. The restricted areas  
5 shall be the minimum necessary to fulfill the objective of this  
6 subsection (1) (b).

7 ~~((For purposes of this subsection (1) (b), "weapon" means any  
8 firearm, explosive as defined in RCW 70.74.010, or any weapon of the  
9 kind usually known as slungshot, sand club, or metal knuckles, or any  
10 knife, dagger, dirk, or other similar weapon that is capable of  
11 causing death or bodily injury and is commonly used with the intent  
12 to cause death or bodily injury.))~~

13 In addition, the local legislative authority shall provide either  
14 a stationary locked box sufficient in size for pistols and key to a  
15 weapon owner for weapon storage, or shall designate an official to  
16 receive weapons for safekeeping, during the owner's visit to  
17 restricted areas of the building. The locked box or designated  
18 official shall be located within the same building used in connection  
19 with court proceedings. The local legislative authority shall be  
20 liable for any negligence causing damage to or loss of a weapon  
21 either placed in a locked box or left with an official during the  
22 owner's visit to restricted areas of the building.

23 The local judicial authority shall designate and clearly mark  
24 those areas where weapons are prohibited, and shall post notices at  
25 each entrance to the building of the prohibition against weapons in  
26 the restricted areas;

27 (c) The restricted access areas of a public mental health  
28 facility licensed or certified by the department of health for  
29 inpatient hospital care and state institutions for the care of the  
30 mentally ill, excluding those facilities solely for evaluation and  
31 treatment. Restricted access areas do not include common areas of  
32 egress and ingress open to the general public;

33 (d) That portion of an establishment classified by the state  
34 liquor and cannabis board as off-limits to persons under 21 years of  
35 age;

36 (e) The restricted access areas of a commercial service airport  
37 designated in the airport security plan approved by the federal  
38 transportation security administration, including passenger screening  
39 checkpoints at or beyond the point at which a passenger initiates the  
40 screening process. These areas do not include airport drives, general

1 parking areas and walkways, and shops and areas of the terminal that  
2 are outside the screening checkpoints and that are normally open to  
3 unscreened passengers or visitors to the airport. Any restricted  
4 access area shall be clearly indicated by prominent signs indicating  
5 that firearms and other weapons are prohibited in the area;

6 (f) The premises of a library established or maintained pursuant  
7 to the authority of chapter 27.12 RCW;

8 (g) The premises of a zoo or aquarium accredited or certified by  
9 the association of zoos and aquariums or the zoological association  
10 of America or a facility with a current signed memorandum of  
11 participation with an association of zoos and aquariums species  
12 survival plan; ((~~or~~))

13 (h) The premises of a transit station or transit facility. For  
14 purposes of this subsection, "transit station" and "transit facility"  
15 have the same meaning as defined in RCW 9.91.025. "Transit station"  
16 and "transit facility" do not include any "transit vehicle" as that  
17 term is defined in RCW 9.91.025;

18 (i) The premises of a city's, town's, county's, or other  
19 municipality's neighborhood, community, or regional park facilities  
20 at which children are likely to be present. Cities, towns, counties,  
21 and other municipalities shall designate the park facilities within  
22 its boundaries where children are likely to be present and post  
23 appropriate signage at common access points of the park facility's  
24 premises to notify the public that weapons are prohibited within the  
25 park facility. Park facilities where children and youth are likely to  
26 be present include, but are not limited to, park facilities that  
27 have: Playgrounds or children's play areas; sports fields; swim  
28 beaches or water play areas; teen centers, community centers, or  
29 performing arts centers; skate parks; and other recreational  
30 facilities likely to be used by children or youth;

31 (j) The premises of a state or local public building. A "state or  
32 local public building" means a building or part of a building owned,  
33 leased, held, or used by the governmental entity of a city, town,  
34 county, or other municipality or by the state of Washington, if state  
35 or local public employees are regularly present for the purposes of  
36 performing their official duties and that is not regularly used, and  
37 not intended to be used, by state or local public employees as a  
38 place of residence. A state or local public building does not include  
39 Washington state department of transportation properties and  
40 facilities such as ferry terminals, ferry holding lanes, safety rest

1 areas, and train depots which are used primarily by the general  
2 traveling public; in such areas weapons must remain in locked cases  
3 or remain in a locked portion of a vehicle; or

4 (k) The premises of county fairs and county fair facilities  
5 during the hours of operation in which the fair is open to the  
6 public. For the purpose of this subsection, "county fair" means fairs  
7 organized to serve the interests of single counties and are under  
8 county commissioner jurisdiction. This prohibition does not apply to  
9 gun shows operating on county fairgrounds.

10 (2) (a) Except as provided in (c) of this subsection, it is  
11 unlawful for any person to knowingly open carry a firearm or other  
12 weapon while knowingly at any permitted demonstration. This  
13 subsection (2) (a) applies whether the person carries the firearm or  
14 other weapon on his or her person or in a vehicle.

15 (b) It is unlawful for any person to knowingly open carry a  
16 firearm or other weapon while knowingly within 250 feet of the  
17 perimeter of a permitted demonstration after a duly authorized state  
18 or local law enforcement officer advises the person of the permitted  
19 demonstration and directs the person to leave until he or she no  
20 longer possesses or controls the firearm or other weapon. This  
21 subsection (2) (b) does not apply to any person possessing or  
22 controlling any firearm or other weapon on private property owned or  
23 leased by that person.

24 (c) Duly authorized federal, state, and local law enforcement  
25 officers and personnel are exempt from the provisions of this  
26 subsection (2) when carrying a firearm or other weapon in conformance  
27 with their employing agency's policy. Members of the armed forces of  
28 the United States or the state of Washington are exempt from the  
29 provisions of this subsection (2) when carrying a firearm or other  
30 weapon in the discharge of official duty or traveling to or from  
31 official duty.

32 (d) For purposes of this subsection, the following definitions  
33 apply:

34 (i) "Permitted demonstration" means either: (A) A gathering for  
35 which a permit has been issued by a federal agency, state agency, or  
36 local government; or (B) a gathering of 15 or more people who are  
37 assembled for a single event at a public place that has been declared  
38 as permitted by the chief executive, sheriff, or chief of police of a  
39 local government in which the gathering occurs. A "gathering" means a

1 demonstration, march, rally, vigil, sit-in, protest, picketing, or  
2 similar public assembly.

3 (ii) "Public place" means any site accessible to the general  
4 public for business, entertainment, or another lawful purpose. A  
5 "public place" includes, but is not limited to, the front, immediate  
6 area, or parking lot of any store, shop, restaurant, tavern, shopping  
7 center, or other place of business; any public building, its grounds,  
8 or surrounding area; or any public parking lot, street, right-of-way,  
9 sidewalk, public park, or other public grounds.

10 ~~((iii) "Weapon" has the same meaning given in subsection (1)(b)~~  
11 ~~of this section.))~~

12 (e) Nothing in this subsection applies to the lawful concealed  
13 carry of a firearm by a person who has a valid concealed pistol  
14 license.

15 (3) Cities, towns, counties, and other municipalities may enact  
16 laws and ordinances:

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

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

26 (i) Any pistol in the possession of a person licensed under RCW  
27 9.41.070 or exempt from the licensing requirement by RCW 9.41.060; or

28 (ii) Any showing, demonstration, or lecture involving the  
29 exhibition of firearms.

30 (4)(a) Cities, towns, and counties may enact ordinances  
31 restricting the areas in their respective jurisdictions in which  
32 firearms may be sold, but, except as provided in (b) of this  
33 subsection, a business selling firearms may not be treated more  
34 restrictively than other businesses located within the same zone. An  
35 ordinance requiring the cessation of business within a zone shall not  
36 have a shorter grandfather period for businesses selling firearms  
37 than for any other businesses within the zone.

38 (b) Cities, towns, and counties may restrict the location of a  
39 business selling firearms to not less than 500 feet from primary or  
40 secondary school grounds, if the business has a storefront, has hours

1 during which it is open for business, and posts advertisements or  
2 signs observable to passersby that firearms are available for sale. A  
3 business selling firearms that exists as of the date a restriction is  
4 enacted under this subsection (4) (b) shall be grandfathered according  
5 to existing law.

6 (5) Violations of local ordinances adopted under subsection (3)  
7 of this section must have the same penalty as provided for by state  
8 law.

9 (6) ~~((The))~~ As soon as practicable, the perimeter of the premises  
10 of any specific location covered by subsection (1) of this section  
11 shall be posted at ~~((reasonable intervals))~~ common public access  
12 points to alert the public as to the existence of any law restricting  
13 the possession of firearms on the premises.

14 (7) Subsection (1) of this section does not apply to:

15 (a) A person engaged in military activities sponsored by the  
16 federal or state governments, while engaged in official duties;

17 (b) Law enforcement personnel, except that subsection (1)(b) of  
18 this section does apply to a law enforcement officer who is present  
19 at a courthouse building as a party to an antiharassment protection  
20 order action or a domestic violence protection order action under  
21 chapter 7.105 or 10.99 RCW, or an action under Title 26 RCW where any  
22 party has alleged the existence of domestic violence as defined in  
23 RCW 7.105.010; ~~((or))~~

24 (c) Security personnel while engaged in official duties ~~((or~~

25 ~~((8) Subsection (1) (a), (b), (c), (e), (f), (g), and (h) of this~~  
26 ~~section does not apply to correctional))~~; or

27 (d) Correctional personnel or community corrections officers, as  
28 long as they are employed as such, who have completed government-  
29 sponsored law enforcement firearms training, except that subsection  
30 (1)(b) of this section does apply to a correctional employee or  
31 community corrections officer who is present at a courthouse building  
32 as a party to an antiharassment protection order action or a domestic  
33 violence protection order action under chapter 7.105 or 10.99 RCW, or  
34 an action under Title 26 RCW where any party has alleged the  
35 existence of domestic violence as defined in RCW 7.105.010.

36 ~~((9))~~ (8) Subsection (1)(a) of this section does not apply to a  
37 person licensed pursuant to RCW 9.41.070 who, upon entering the place  
38 or facility, directly and promptly proceeds to the administrator of  
39 the facility or the administrator's designee and obtains written  
40 permission to possess the firearm while on the premises or checks his

1 or her firearm. The person may reclaim the firearms upon leaving but  
2 must immediately and directly depart from the place or facility.

3 ~~((10))~~ (9) Subsection (1)(c) of this section does not apply to  
4 any administrator or employee of the facility or to any person who,  
5 upon entering the place or facility, directly and promptly proceeds  
6 to the administrator of the facility or the administrator's designee  
7 and obtains written permission to possess the firearm while on the  
8 premises.

9 ~~((11))~~ (10) Subsection (1)(d) of this section does not apply to  
10 the proprietor of the premises or his or her employees while engaged  
11 in their employment.

12 ~~((12))~~ (11) Subsection (1)(g) of this section does not apply to  
13 employees of a zoo, aquarium, or animal sanctuary, while engaged in  
14 their employment if the weapon is owned by the zoo, aquarium, or  
15 animal sanctuary and maintained for the purpose of protecting its  
16 employees, animals, or the visiting public.

17 ~~((13))~~ (12) Subsection (1)(f), (g), ~~((and))~~ (h), (i), (j), and  
18 (k) of this section does not apply to the activities of color guards  
19 and honor guards affiliated with the United States military,  
20 Washington state national guard, or Washington department of  
21 veterans' affairs related to burial or interment ceremonies  
22 including, but not limited to, any staging and logistical  
23 requirements of the color guard or honor guard.

24 ~~((14))~~ (13) Subsection (1)(f), (g), ~~((and))~~ (h), (i), (j), and  
25 (k) of this section does not apply to a person licensed to carry a  
26 concealed firearm pursuant to RCW 9.41.070.

27 ~~((15))~~ (14) Government-sponsored law enforcement firearms  
28 training must be training that correctional personnel and community  
29 corrections officers receive as part of their job requirement and  
30 reference to such training does not constitute a mandate that it be  
31 provided by the correctional facility.

32 ~~((16))~~ (15) Any person violating subsection (1) or (2) of this  
33 section is guilty of a gross misdemeanor.

34 ~~((17))~~ (16) "Weapon" as used in this section means ~~((any~~  
35 ~~firearm, explosive as defined in RCW 70.74.010, or instrument or~~  
36 ~~weapon listed in RCW 9.41.250)) any firearm, explosive as defined in  
37 RCW 70.74.010, or any instrument of the kind usually known as  
38 slungshot, sand club, or metal knuckles, or any knife, dagger, dirk,  
39 or other similar instrument that is capable of causing death or~~

1 bodily injury and is commonly used with the intent to cause death or  
2 bodily injury.

3 (17) For the purposes of this section, "park facilities where  
4 children and youth are likely to be present" and "places of  
5 amusement" include, but are not limited to: Playgrounds or children's  
6 play areas; sports fields; swim beaches or water play areas; teen  
7 centers, community centers, or performing arts centers; skate parks;  
8 and other recreational facilities likely to be used by children or  
9 youth.

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