
SECOND SUBSTITUTE SENATE BILL 5098

State of Washington

69th Legislature

2025 Regular Session

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

READ FIRST TIME 02/28/25.

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) of this section does not apply to
37 firearms either on loan or that are part of a museum collection that
38 may be in the possession of museum staff, volunteers, or contractors
39 when they are on the premises and engaging in activities directly
40 related to their official museum duties. This includes, but is not

1 limited to, work in support of or related to exhibitions, curation,
2 collections management, educational programming, or other standard
3 practices expected within the museum industry. Additionally,
4 subsection (1) of this section does not apply to individuals bringing
5 a firearm at a preapproved date and time to a museum for loan or
6 donation to the museum.

7 (9) Subsection (1)(a) of this section does not apply to a person
8 licensed pursuant to RCW 9.41.070 who, upon entering the place or
9 facility, directly and promptly proceeds to the administrator of the
10 facility or the administrator's designee and obtains written
11 permission to possess the firearm while on the premises or checks his
12 or her firearm. The person may reclaim the firearms upon leaving but
13 must immediately and directly depart from the place or facility.

14 (10) Subsection (1)(c) of this section does not apply to any
15 administrator or employee of the facility or to any person who, upon
16 entering the place or facility, directly and promptly proceeds to the
17 administrator of the facility or the administrator's designee and
18 obtains written permission to possess the firearm while on the
19 premises.

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

23 (12) Subsection (1)(g) of this section does not apply to
24 employees of a zoo, aquarium, or animal sanctuary, while engaged in
25 their employment if the weapon is owned by the zoo, aquarium, or
26 animal sanctuary and maintained for the purpose of protecting its
27 employees, animals, or the visiting public.

28 (13) Subsection (1)(f), (g), ~~((and))~~ (h), (i), (j), and (k) of
29 this section does not apply to the activities of color guards and
30 honor guards affiliated with the United States military, Washington
31 state national guard, or Washington department of veterans' affairs
32 related to burial or interment ceremonies including, but not limited
33 to, any staging and logistical requirements of the color guard or
34 honor guard.

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

38 (15) Government-sponsored law enforcement firearms training must
39 be training that correctional personnel and community corrections
40 officers receive as part of their job requirement and reference to

1 such training does not constitute a mandate that it be provided by
2 the correctional facility.

3 (16) Any person violating subsection (1) or (2) of this section
4 is guilty of a gross misdemeanor.

5 (17) "Weapon" as used in this section means (~~any firearm,~~
6 ~~explosive as defined in RCW 70.74.010, or instrument or weapon listed~~
7 ~~in RCW 9.41.250)) any firearm, explosive as defined in RCW 70.74.010,
8 or any instrument of the kind usually known as slungshot, sand club,
9 or metal knuckles, or any knife, dagger, dirk, or other similar
10 instrument that is capable of causing death or bodily injury and is
11 commonly used with the intent to cause death or bodily injury.~~

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

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