

# HOUSE BILL REPORT

## SB 6122

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*As Reported By House Committee on:  
Judiciary*

**Title:** An act relating to arrest without warrant.

**Brief Description:** Concerning arrest without warrant.

**Sponsor(s):** Senators Sutherland, L. Smith, Bauer, Rasmussen and Gaspard.

**Brief History:**

Reported by House Committee on:  
Judiciary, February 28, 1992, DPA.

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**HOUSE COMMITTEE ON  
JUDICIARY**

**Majority Report:** *Do pass as amended.* Signed by 19 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

**Staff:** Margaret Allen (786-7191).

**Background:** Under current law, it is unlawful for a student under the age of 21 to possess a firearm or other dangerous weapon on school premises. A violation of the law is a gross misdemeanor.

On occasion, principals or other school officials confiscate firearms and dangerous weapons that students bring onto school premises. Police are unable to make a subsequent arrest because, unless an exception enumerated in statute applies, police are authorized to arrest a person committing a misdemeanor or a gross misdemeanor without a warrant only if the offense is committed in the officer's presence.

**Summary of Amended Bill:** A police officer may make a warrantless arrest if he or she has probable cause to believe that a person illegally possesses a firearm or dangerous weapon on school premises.

**Amended Bill Compared to Original Bill:** The original bill authorized a warrantless arrest when a person violated a

statute currently prohibiting students from possessing firearms or other dangerous weapons on school premises.

**Fiscal Note:** Not requested.

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

**Testimony For:** Thousands of weapons are taken into schools daily, creating a dangerous situation.

**Testimony Against:** None.

**Witnesses:** Senator Sutherland, prime sponsor (supports).