

2 SSB 5307 - S AMD

3 By Senators Skratek, Drew, Loveland, Erwin, Owen, Hargrove,
4 Sutherland, Oke and Hochstatter

5 Withdrawn 3/15/93

6 Strike everything after the enacting clause and insert the
7 following:

8 "Sec. 1. RCW 9.41.280 and 1989 c 219 s 1 are each amended to read
9 as follows:

10 (1) It is unlawful for (~~(an elementary or secondary school student~~
11 ~~under the age of twenty one knowingly)~~) a person to carry onto public
12 or private elementary or secondary school premises, while school is in
13 session or during a school-sponsored event:

14 (a) Any firearm; or

15 (b) Any dangerous weapon as defined in RCW 9.41.250; or

16 (c) Any device commonly known as "nun-chu-ka sticks", consisting of
17 two or more lengths of wood, metal, plastic, or similar substance
18 connected with wire, rope, or other means; or

19 (d) Any device, commonly known as "throwing stars", which are
20 multi-pointed, metal objects designed to embed upon impact from any
21 aspect; or

22 (e) Any air gun, including any air pistol or air rifle, designed to
23 propel a BB, pellet, or other projectile by the discharge of compressed
24 air, carbon dioxide, or other gas.

25 (2) Any such (~~(student)~~) person violating subsection (1) of this
26 section is guilty of a gross misdemeanor.

27 Any violation of subsection (1) of this section by elementary or
28 secondary school students constitutes grounds for expulsion from the
29 state's public schools for the remainder of the school year in which
30 the violation occurs.

31 (3) Subsection (1) of this section does not apply to:

32 (a) Any student or employee of a private military academy; or

33 (b) Any (~~(student)~~) person engaged in military, law enforcement, or
34 school district security activities(~~(, sponsored by the federal or~~
35 ~~state governments while engaged in official duties))~~; or

36 (c) Any (~~(student)~~) person who is (~~(attending)~~) involved in a
37 convention, showing, demonstration, lecture, or firearms safety course

1 authorized by school authorities in which the firearms of collectors or
2 instructors are handled or displayed; or

3 (d) Any ((~~student~~)) person who possesses nun-chu-ka sticks,
4 throwing stars, or other dangerous weapons to be used in martial arts
5 classes authorized to be conducted on the school premises; ((or))

6 (e) Any ((~~student~~)) person while the ((~~student~~)) person is
7 participating in a firearms or air gun competition approved by the
8 school or school district;

9 (f) Any person legally in possession of a firearm or dangerous
10 weapon that is secured within an attended vehicle or concealed from
11 view within a locked unattended vehicle;

12 (g) Any person who is in lawful possession of an unloaded, secured
13 firearm in a vehicle; or

14 (h) Any person in possession of a firearm pursuant to RCW 9.41.070.
15 Any person who carries a firearm onto a school premise pursuant to RCW
16 9.41.070 shall, immediately upon entry onto the premises, proceed
17 directly to the administrative office of the school and notify the
18 highest-ranking available administrative official of the fact that the
19 firearm is on school premises. Violation of the requirement to notify
20 the appropriate official is a violation of this section.

21 NEW SECTION. Sec. 2. A new section is added to chapter 4.24 RCW
22 to read as follows:

23 In any civil action brought against a minor for recovery of damages
24 for actions which violate RCW 9.41.280, any parent or parents or legal
25 guardian or guardians of such minor, with whom such minor resides shall
26 notwithstanding any other provisions of RCW 4.24.190, be liable for all
27 harm caused by the violation, unless such firearm, dangerous weapon, or
28 other device was obtained unlawfully and the parent or guardian had no
29 knowledge thereof.

30 **Sec. 3.** RCW 28A.635.060 and 1989 c 269 s 6 are each amended to
31 read as follows:

32 (1) Any pupil who shall deface or otherwise injure any school
33 property, shall be liable to suspension and punishment. Any school
34 district whose property has been lost or willfully cut, defaced, or
35 injured, may withhold the grades, diploma, and transcripts of the pupil
36 responsible for the damage or loss until the pupil or the pupil's
37 parent or guardian has paid for the damages, unless the student is

1 transferring to another elementary or secondary educational
2 institution, in which case the student's permanent record shall be
3 released promptly to the receiving school. When the pupil and parent
4 or guardian are unable to pay for the damages, the school district
5 shall provide a program of voluntary work for the pupil in lieu of the
6 payment of monetary damages. Upon completion of voluntary work the
7 grades, diploma, and transcripts of the pupil shall be released. The
8 parent or guardian of such pupil shall be liable for damages as
9 otherwise provided by law.

10 (2) Before any penalties are assessed under this section, a school
11 district board of directors shall adopt procedures which insure that
12 pupils' rights to due process are protected.

13 (3) If the department of social and health services or a child-
14 placing agency licensed by the department has been granted custody of
15 a child, that child's records, if requested by the department or
16 agency, are not to be withheld for nonpayment of school fees or any
17 other reason."

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22 On page 1, line 1 of the title, after "discipline;" strike the
23 remainder of the title and insert "amending RCW 9.41.280 and
24 28A.635.060; adding a new section to chapter 28A.320 RCW; adding a new
25 section to chapter 4.24 RCW; and prescribing penalties."

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