

HOUSE BILL REPORT

HB 1299

As Reported By House Committee On:
Judiciary

Title: An act relating to student safety and discipline.

Brief Description: Prohibiting firearms and dangerous weapons on school premises, with limited exceptions.

Sponsors: Representatives Pruitt, Forner, J. Kohl, Shin, Flemming, Carlson, Peery, Basich, Scott, Cothorn, Thibaudeau, Kessler, Holm, Karahalios, Eide, Linville, Johanson, G. Cole, Riley, Van Luven, Jacobsen, Wang, Leonard, Quall, Silver, Brumsickle, Thomas, H. Myers, Rayburn and L. Johnson; by request of Washington State School Directors Association, Board of Education and Superintendent of Public Instruction.

Brief History:

Reported by House Committee on:
Judiciary, February 24, 1993, DPS.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 16 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Ballasiotes, Assistant Ranking Minority Member; Campbell; Chappell; Forner; Johanson; Locke; Long; H. Myers; Riley; Schmidt; Scott; Tate; and Wineberry.

Minority Report: Without recommendation. Signed by 1 member: Representative Mastin.

Staff: Margaret Allen (786-7191).

Background: Several school districts have reported incidents of parents, youths who are not students, and other persons entering school property with weapons.

Current state law prohibits only elementary or secondary students under the age of 21 from carrying firearms or other dangerous weapons onto public or private school premises.

Exemptions exist for students of private military academies, students in government-sponsored military activities,

students attending a convention or authorized firearms safety course in which firearms are handled or displayed, students who possess weapons to be used in martial arts classes on school premises, and students participating in an approved firearms or air gun competition.

Violation of the statute is a gross misdemeanor and grounds for expulsion.

Another statute permits a school district whose property has been lost or willfully injured to withhold the transcripts of the pupil responsible for the loss or damage until the pupil or the pupil's parent has paid for the damage.

Summary of Substitute Bill: The prohibition against carrying firearms or other specified weapons onto school premises is extended to all persons.

Exemptions are extended from students to all persons as well, except the exemption for students of private military academies, which is extended only to employees.

The requirement that military activities be sponsored by the federal or state governments is deleted. Exemptions for law enforcement and school district security activities are added.

The exemption for attendance at a convention or authorized firearms safety course is changed to involvement in a convention, showing, demonstration, lecture, or authorized firearms safety course.

Martial arts classes must be authorized.

A school district need not admit any student currently subject to expulsion or long-term suspension in another district for illegally possessing a weapon in violation of the statute.

If a student who has defaced or injured school property transfers to another school, the student's transcript must be released promptly to the receiving school.

Substitute Bill Compared to Original Bill: Areas in which it is illegal to carry weapons are not extended to school-provided transportation, and premises where school-sponsored events are being held.

Another statute specifying places it is unlawful to possess a firearm, e.g., jails, courtrooms or mental health facilities, is not amended to include schools.

An exception is added for a person with a concealed pistol license, or who is lawfully in possession of a weapon secured within an attended vehicle or concealed from view within a locked unattended vehicle, while the person is picking up or dropping off a student.

A reference to a student's "transcript" is changed to "permanent record."

Fiscal Note: Available.

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

Testimony For: School premises should be safe for students. Firearms are prohibited in jails, courts, and mental health facilities, and also should be prohibited on school premises. The majority of problems with weapons in schools are caused by ordinary citizens.

Testimony Against: It is better to focus on crime control than gun control. Law-abiding citizens have the right to defend themselves wherever they are. Students are safer when the adults picking them up at school possess firearms.

Witnesses: Dwayne Slate, Washington School Directors Association (pro); Marcia Costello, Washington Association of School Administrators (pro); Bob Meyer, Washington Education Association (pro); Evelyn Benson, Washington Citizens for Rational Handgun Control (pro); James Kelly, President, Stop the Violence Gun Buy Back Program, and Executive Director, Washington State Commission on African-American Affairs (pro); Jan McIntyre (pro); Jack Lenzi, National Rifle Association (con); Al Woodbridge, Washington State Rifle and Pistol Association (con); James J. Fotis, Law Enforcement Alliance of America (con); Colonel Mel Phankuche, firearms dealer (con); Linda Everett (con); and Bill Wescott (con).