

FINAL BILL REPORT

ESSB 5307

PARTIAL VETO

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SYNOPSIS AS ENACTED

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

SPONSORS: Senate Committee on Education (originally sponsored by Senators Pelz, A. Smith, McAuliffe, Bauer, Talmadge, Spanel, Haugen and Moyer; by request of Washington State School Directors Association, Board of Education and Superintendent of Public Instruction)

SENATE COMMITTEE ON EDUCATION

HOUSE COMMITTEE ON JUDICIARY

BACKGROUND:

The state has preempted the entire area of firearms regulation. Cities, towns and other municipalities may only enact those laws specifically authorized by state law and consistent with state law. By state statute, firearms are specifically prohibited in areas such as restricted access areas of a jail or law enforcement facility, a courtroom or judge's chamber, restricted areas of mental health facilities, and licensed premises for the consumption of alcoholic beverages. Cities, towns and other municipalities may adopt ordinances restricting the discharge of firearms in areas where persons or animals would be harmed and may restrict possession in stadiums or convention centers unless the person has a concealed weapons permit.

Under current law, students are prohibited from having firearms or other dangerous weapons on school premises. However, school districts are concerned that they cannot prohibit other persons from carrying firearms onto school premises because the state has preempted the regulation of firearms.

SUMMARY:

The prohibition against any student carrying a firearm or dangerous weapons on public or private school premises is expanded to apply to any person. The prohibition also includes school-provided transportation and any areas of facilities while being used exclusively by public or private schools.

A student violating the prohibition against weapons other than firearms may be expelled from every public school in the state. However, a student carrying a firearm must be expelled. When a student attempts to transfer to another school, the student's records must be released to the new school, even if the student has not paid any outstanding fees or fines.

Current exemptions are expanded to include any person involved in school district security activities or state, local, or federal law enforcement activities. Such activities are no longer required to be sponsored by the government.

Any person with a concealed weapons permit picking up or dropping off a student is exempt. Firearms are not permitted in school buildings.

A person conducting legitimate business at the school may have a firearm or other dangerous weapon on school grounds in a vehicle if the weapon is: (1) secured in an attended vehicle; (2) concealed in a locked unattended vehicle; or (3) secured and unloaded in a vehicle.

Signs must be posted around schools to provide notice about the law.

Public and private school officials are required to report annually about violations of the prohibition of weapons on school grounds.

A police officer may make a warrantless arrest if there is probable cause to believe that a person unlawfully possesses or possessed a firearm or other dangerous weapon on school premises.

VOTES ON FINAL PASSAGE:

Senate	43	6	
House	95	1	(House amended)
Senate	43	4	(Senate concurred)

EFFECTIVE: July 25, 1993

Partial Veto Summary: The provision authorizing a warrantless arrest was deleted. This provision was enacted in separate legislation. (See VETO MESSAGE)