

HOUSE BILL REPORT

SB 5132

As Reported By House Committee On:

Education

Title: An act relating to school bus route stops as drug-free zones.

Brief Description: Simplifying designation of school bus stops as drug-free zones.

Sponsors: Senators Zarelli, Schow, Winsley and Oke.

Brief History:

Committee Activity:

Education: 3/21/97, 4/1/97 [DP].

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass. Signed by 11 members: Representatives Johnson, Chairman; Hickel, Vice Chairman; Cole, Ranking Minority Member; Keiser, Assistant Ranking Minority Member; Linville; Quall; Smith; Sterk; Sump; Talcott and Veloria.

Staff: Pat Shelledy (786-7149).

Background: The state sentencing code for adult offenders authorizes courts to impose an enhanced punishment if a person commits a drug offense in a drug-free zone. One drug-free zone is a school bus route stop. An individual who manufactures, sells, or unlawfully possesses a controlled substance within 1,000 feet of a school bus route stop designated by a school district may receive up to twice the fine or imprisonment, or both, otherwise authorized.

Prosecutors seeking enhanced penalties for drug offenders must prove beyond a reasonable doubt that the offense occurred within a 1,000-foot radius of a school bus route stop. To prove this, prosecutors must establish the bus stop's exact location. Washington law defines a school bus route stop— as a stop designated on maps submitted by school districts to the Superintendent of Public Instruction. Recently, school districts began designating bus stops with electronic submissions rather than maps. These electronic submissions do not meet the statutory definition of a school bus route stop for purposes of obtaining enhanced penalties for drug offenders.

Summary of Bill: The definition of a school bus route stop– is a stop designated in any manner by a school district.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: *The current definition of school bus route stop should be updated to reflect current technology and avoid impairing prosecution of drug crimes and their enhancements.*

Testimony Against: None.

Testified: *Senator Zarelli, prime sponsor.*