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HOUSE BILL 1682

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State of Washington

56th Legislature

1999 Regular Session

By Representatives Sump, Clements, McMorris, Ballasiotes, Sullivan, Bush, O'Brien, Carrell, Mastin, Dunn, G. Chandler, Haigh, Linville, Mitchell, Schoesler and DeBolt

Read first time 02/02/1999. Referred to Committee on Judiciary.

1 AN ACT Relating to promoting school safety; and adding new sections  
2 to chapter 9.41 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 9.41 RCW  
5 to read as follows:

6 (1) The chief administrative officer of a school, or his or her  
7 designee, shall make the notification required by section 2 of this  
8 act:

9 (a) Whenever a person violates RCW 9.41.280 by carrying or  
10 possessing a firearm; or

11 (b) Whenever there is reasonable cause to believe that a person  
12 suffers from a mental disorder and presents an imminent likelihood of  
13 serious harm; and

14 (i) The person violates RCW 9.41.280 other than by carrying or  
15 possessing a firearm; or

16 (ii) While on school premises or school-provided transportation, or  
17 at a school-sponsored activity, the person makes an apparently serious  
18 attempt or express threat to inflict death or great bodily harm upon  
19 another.

1 (2) For purposes of this section and section 2 of this act, "mental  
2 disorder" and "likelihood of serious harm" have the same meanings  
3 assigned them in RCW 71.05.020 and 71.34.020.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.41 RCW  
5 to read as follows:

6 (1) Whenever a person's actions under section 1 of this act require  
7 notification under this section, the chief administrative officer of a  
8 school, or his or her designee, shall immediately notify the  
9 appropriate law enforcement agency of the activities and whereabouts,  
10 if known, of the person.

11 (2) If the person is arrested because his or her actions under  
12 section 1 of this act constitute a criminal violation, he or she shall  
13 be confined, and the court shall order a psychological examination and  
14 evaluation of the person to be performed within seventy-two hours of  
15 his or her confinement. The court shall consider the results of the  
16 examination and evaluation when making any decision about pretrial  
17 release of the person.

18 (3) If the person is not arrested for a criminal violation, but  
19 there is reasonable cause to believe that he or she suffers from a  
20 mental disorder and presents an imminent likelihood of serious harm,  
21 the law enforcement agency shall take the person into custody and  
22 deliver the person to an evaluation and treatment facility under  
23 chapter 71.05 or 71.34 RCW, as appropriate, for determination of  
24 whether the person should be involuntarily committed for treatment of  
25 his or her mental disorder.

26 NEW SECTION. **Sec. 3.** A new section is added to chapter 9.41 RCW  
27 to read as follows:

28 (1) This act is supplemental to all other remedies and procedures  
29 otherwise available in law. Nothing in this act removes any obligation  
30 for compliance with other law.

31 (2) No school district or local government shall bear the expense  
32 of any examination or evaluation done pursuant to section 2 of this  
33 act.

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