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HOUSE BILL 1752

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State of Washington                      56th Legislature                      1999 Regular Session

By Representatives O'Brien, Kagi, Lantz, Rockefeller and Edmonds

Read first time 02/04/1999. Referred to Committee on Judiciary.

1            AN ACT Relating to prohibiting firearms and other dangerous weapons  
2 on the premises of preschools and day-care facilities; and amending RCW  
3 9.41.280.

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

5            **Sec. 1.** RCW 9.41.280 and 1996 c 295 s 13 are each amended to read  
6 as follows:

7            (1) It is unlawful for a person to carry onto, or to possess on,  
8 public or private elementary or secondary school premises, school-  
9 provided transportation, ~~((or))~~ areas of facilities while being used  
10 exclusively by public or private schools, or the premises of public or  
11 private preschools or day-care facilities:

12            (a) Any firearm;

13            (b) Any other dangerous weapon as defined in RCW 9.41.250;

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

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

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

4 (2) Any such person violating subsection (1) of this section is  
5 guilty of a gross misdemeanor. If any person is convicted of a  
6 violation of subsection (1)(a) of this section, the person shall have  
7 his or her concealed pistol license, if any revoked for a period of  
8 three years. Anyone convicted under this subsection is prohibited from  
9 applying for a concealed pistol license for a period of three years.  
10 The court shall send notice of the revocation to the department of  
11 licensing, and the city, town, or county which issued the license.

12 Any violation of subsection (1) of this section by elementary or  
13 secondary school students constitutes grounds for expulsion from the  
14 state's public schools in accordance with RCW 28A.600.010. An  
15 appropriate school authority shall promptly notify law enforcement and  
16 the student's parent or guardian regarding any allegation or indication  
17 of such violation.

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

19 (a) Any student or employee of a private military academy when on  
20 the property of the academy;

21 (b) Any person engaged in military, law enforcement, or school  
22 district security activities;

23 (c) Any person who is involved in a convention, showing,  
24 demonstration, lecture, or firearms safety course authorized by school  
25 authorities in which the firearms of collectors or instructors are  
26 handled or displayed;

27 (d) Any person while the person is participating in a firearms or  
28 air gun competition approved by the school or school district;

29 (e) Any person in possession of a pistol who has been issued a  
30 license under RCW 9.41.070, or is exempt from the licensing requirement  
31 by RCW 9.41.060, while picking up or dropping off a student;

32 (f) Any nonstudent at least eighteen years of age legally in  
33 possession of a firearm or dangerous weapon that is secured within an  
34 attended vehicle or concealed from view within a locked unattended  
35 vehicle while conducting legitimate business at the school;

36 (g) Any nonstudent at least eighteen years of age who is in lawful  
37 possession of an unloaded firearm, secured in a vehicle while  
38 conducting legitimate business at the school; or

1 (h) Any law enforcement officer of the federal, state, or local  
2 government agency.

3 (4) Subsections (1)(c) and (d) of this section do not apply to any  
4 person who possesses nun-chu-ka sticks, throwing stars, or other  
5 dangerous weapons to be used in martial arts classes authorized to be  
6 conducted on the school premises.

7 (5) Except as provided in subsection (3)(b), (c), (f), and (h) of  
8 this section, firearms are not permitted in a public or private school  
9 building.

10 (6) "GUN-FREE ZONE" signs shall be posted around school facilities  
11 giving warning of the prohibition of the possession of firearms on  
12 school grounds.

13 (7) For the purposes of this section, "day-care facility" means a  
14 child day-care center or a family day-care provider licensed under  
15 chapter 74.15 RCW.

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