
SENATE BILL 6595

State of Washington

56th Legislature

2000 Regular Session

By Senator Hochstatter

Read first time 01/20/2000. Referred to Committee on Education.

1 AN ACT Relating to school "GUN FREE ZONE" signs; and amending RCW
2 9.41.280.

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

4 **Sec. 1.** RCW 9.41.280 and 1999 c 167 s 1 are each amended to read
5 as follows:

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

10 (a) Any firearm;

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

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

15 (d) Any device, commonly known as "throwing stars", which are
16 multi-pointed, metal objects designed to embed upon impact from any
17 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 Upon the arrest of a person at least twelve years of age and not
19 more than twenty-one years of age for violating subsection (1)(a) of
20 this section, the person shall be detained or confined in a juvenile or
21 adult facility for up to seventy-two hours. The person shall not be
22 released within the seventy-two hours until after the person has been
23 examined and evaluated by the county-designated mental health
24 professional unless the court in its discretion releases the person
25 sooner after a determination regarding probable cause or on probation
26 bond or bail.

27 Within twenty-four hours of the arrest, the arresting law
28 enforcement agency shall refer the person to the county-designated
29 mental health professional for examination and evaluation under chapter
30 71.05 or 71.34 RCW and inform a parent or guardian of the person of the
31 arrest, detention, and examination. The county-designated mental
32 health professional shall examine and evaluate the person subject to
33 the provisions of chapter 71.05 or 71.34 RCW. The examination shall
34 occur at the facility in which the person is detained or confined. If
35 the person has been released on probation, bond, or bail, the
36 examination shall occur wherever is appropriate.

37 The county-designated mental health professional may determine
38 whether to refer the person to the county-designated chemical
39 dependency specialist for examination and evaluation in accordance with

1 chapter 70.96A RCW. The county-designated chemical dependency
2 specialist shall examine the person subject to the provisions of
3 chapter 70.96A RCW. The examination shall occur at the facility in
4 which the person is detained or confined. If the person has been
5 released on probation, bond, or bail, the examination shall occur
6 wherever is appropriate.

7 Upon completion of any examination by the county-designated mental
8 health professional or the county-designated chemical dependency
9 specialist, the results of the examination shall be sent to the court,
10 and the court shall consider those results in making any determination
11 about the person.

12 The county-designated mental health professional and county-
13 designated chemical dependency specialist shall, to the extent
14 permitted by law, notify a parent or guardian of the person that an
15 examination and evaluation has taken place and the results of the
16 examination. Nothing in this subsection prohibits the delivery of
17 additional, appropriate mental health examinations to the person while
18 the person is detained or confined.

19 If the county-designated mental health professional determines it
20 is appropriate, the county-designated mental health professional may
21 refer the person to the local regional support network for follow-up
22 services or the department of social and health services or other
23 community providers for other services to the family and individual.

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

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

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

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

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

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

38 (f) Any nonstudent at least eighteen years of age legally in
39 possession of a firearm or dangerous weapon that is secured within an

1 attended vehicle or concealed from view within a locked unattended
2 vehicle while conducting legitimate business at the school;

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

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

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

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

15 (6) "GUN-FREE ZONE" signs shall be posted around school facilities
16 giving warning of the prohibition of the possession of firearms on
17 school grounds. These signs shall include the statement "Thou shall
18 not kill."

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