

# HOUSE BILL REPORT

## SHB 1604

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**As Reported by House Committee On:**

Criminal Justice & Corrections

**Title:** An act relating to hospital safety.

**Brief Description:** Restricting weapons in hospitals.

**Sponsors:** House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Schual-Berke, Ballasiotes, O'Brien, Skinner, Campbell, Keiser, Ogden, Cody, Kenney, Kagi, Lovick, Edmonds, Darneille and Santos).

**Brief History:**

**Committee Activity:**

Criminal Justice & Corrections: 1/23/02 [DP2S].

**Brief Summary of Second Substitute Bill**

- Makes it a gross misdemeanor to knowingly possess or control a weapon in any building licensed as a hospital.

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### HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by 4 members: Representatives O'Brien, Chair; Lovick, Vice Chair; Kagi and Kirby.

**Minority Report:** Without recommendation. Signed by 3 members: Representatives Ballasiotes, Ranking Minority Member; Ahern and Morell.

**Staff:** Yvonne Walker (786-7841).

**Background:**

It is a gross misdemeanor to knowingly possess or control a weapon in a variety of places, such as:

- restricted areas of jails;
- restricted areas of court facilities;
- restricted areas of public mental health facilities; and

- portions of establishments classified as off-limits to persons under 21 years of age by the state Liquor Control Board.

The restricted areas do not include common areas of entering and exiting which are open to the general public.

Certain persons, however, may knowingly possess or control a weapon in these places, including:

- persons engaged in official military duties;
- law enforcement personnel;
- security personnel while engaged in official duties; and
- any administrator or employee of a mental health facility or state institution, or any other person who, upon entering the facility or institution, directly and promptly obtains written permission to possess a firearm while on the premises.

A weapon is any firearm, explosive, or instrument such as a slung shot, sand club, metal knuckles, and various types of knives.

There is no prohibition for bringing weapons into a hospital.

A gross misdemeanor carries a maximum sentence of one year of incarceration, a fine of \$5,000, or both.

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### **Summary of Second Substitute Bill:**

It is a gross misdemeanor to knowingly possess or control a weapon in any building licensed as a hospital. The restricted areas of a hospital do not include common areas of entering or exiting open to the general public.

Certain persons are exempted from this provision and may knowingly possess or control a weapon in a hospital, including:

- persons engaged in official military duties;
- law enforcement personnel; and
- security personnel while engaged in official duties.

### **Second Substitute Bill Compared to Substitute Bill:**

The provision allowing a person who carries a valid concealed pistol license to possess a pistol while in a hospital is removed. Additionally, the provision allowing a person to obtain written permission to possess a firearm while on hospital premises is removed.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Second Substitute Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** None.

**Testimony Against:** None.

**Testified:** None.