
HOUSE BILL 2543

State of Washington 58th Legislature 2004 Regular Session

By Representatives Condotta, Lovick, O'Brien, Boldt, Delvin, Pearson, Simpson, G. and Moeller

Read first time 01/15/2004. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to eliminating gang-related activities on or near
2 school grounds; adding new sections to chapter 9A.46 RCW; and
3 prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 9A.46 RCW
6 to read as follows:

7 The legislature finds that the children of this state have the
8 right to go to and from school in a safe and secure manner without
9 being threatened, intimidated, harassed, confronted, or solicited by
10 gang members and gang activities. Gang-associated violence and sale,
11 use, and possession of illegal drugs and weapons are not appropriate or
12 conducive to a safe learning environment and must be eliminated if
13 student security is to be promoted on and near school grounds and
14 facilities. In addition to physical safety zones, schools should also
15 be gang-free zones that expressly prohibit gang activities on or near
16 school property.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 9A.46 RCW
18 to read as follows:

1 The definitions in this section apply throughout this section and
2 sections 1, 3, and 4 of this act unless the context clearly requires
3 otherwise.

4 (1) "Gang" means a group that: (a) Consists of three or more
5 persons; (b) has identifiable leadership or an identifiable name, sign,
6 or symbol; and (c) on an ongoing basis, regularly conspires and acts in
7 concert mainly for criminal purposes.

8 (2) "Gang-related activity" means any activity that occurs by or
9 within a gang or advances a gang purpose, including threatening,
10 intimidating, harassing, confronting, or soliciting a person who
11 attends or is registered in a public or alternative school with or by
12 means of a criminal act or to participate or engage in a criminal act.

13 NEW SECTION. **Sec. 3.** A new section is added to chapter 9A.46 RCW
14 to read as follows:

15 (1) A person is guilty of criminal gang school activity if the
16 person is a gang member and engages in a gang-related activity in or
17 upon the premises or grounds of a public or alternative school, or
18 within five hundred feet of the premises of a public or alternative
19 school.

20 (2) Criminal gang school activity is a class C felony.

21 (3) The perimeter of the premises or grounds of any school covered
22 by this section shall be posted at reasonable intervals to alert the
23 public as to the existence of this section prohibiting criminal gang
24 school activity on or within five hundred feet of the premises and
25 grounds.

26 NEW SECTION. **Sec. 4.** A new section is added to chapter 9A.46 RCW
27 to read as follows:

28 (1) A person is guilty of criminal gang school trespass if the
29 person is a gang member and knowingly enters or remains unlawfully in
30 or upon the premises or grounds of a public or alternative school.

31 (2) Criminal gang school trespass is a gross misdemeanor.

32 (3) The perimeter of the premises or grounds of any school covered
33 by this section shall be posted at reasonable intervals to alert the
34 public as to the existence of this section prohibiting criminal gang

1 school trespass on the premises and grounds.

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