

HOUSE BILL REPORT

SSB 6322

As Reported by House Committee On:
Judiciary

Title: An act relating to revising the definition of a weapon.

Brief Description: Revising the definition of a weapon.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Kohl-Welles, Fairley and Kline; by request of Board For Judicial Administration).

Brief History:

Committee Activity:

Judiciary: 2/22/08 [DP].

Brief Summary of Substitute Bill

- Broadens and clarifies the definition of weapons that may not be brought into court facilities.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 10 members: Representatives Lantz, Chair; Goodman, Vice Chair; Warnick, Assistant Ranking Minority Member; Ahern, Flannigan, Kirby, Moeller, Pedersen, Ross and Williams.

Staff: Edie Adams (786-7180).

Background:

It is a gross misdemeanor for a person who knowingly possesses a weapon to enter certain places. Weapons are prohibited in restricted areas of court facilities, jails, public mental health facilities, commercial airports, and in places classified as off-limits to persons under 21 years of age by the state Liquor Control Board.

The prohibition on possession of weapons in court facilities applies to the areas in a building that are used in connection with court proceedings, such as courtrooms, jury rooms, judge's chambers, offices and areas used to conduct court business, waiting areas, and corridors adjacent to areas used in connection with court proceedings.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The local judicial authority may designate the court areas where weapons are prohibited. However, the restricted areas must be the minimum necessary and may include common areas of ingress and egress to or from the building only if it is not possible to protect court areas without also restricting the areas of ingress and egress. The local legislative authority must provide for storage of weapons during a person's visit to restricted areas of the building either by providing a locked storage box or by designating an official to receive weapons for safekeeping.

"Weapon" is defined as a firearm, explosive, or instrument or weapon listed in another statute governing dangerous weapons. The dangerous weapon statute prohibits: (a) the possession of slung shots, sand clubs, metal knuckles, spring blade knives and knives that open by a spring mechanism or by the force of gravity or a downward or outward thrust; (b) the furtive carrying, with intent to conceal, any dagger, dirk, pistol, or other dangerous weapon; and (c) the use of any device for suppressing the noise of a firearm.

Summary of Bill:

The definition of weapons that may not be brought into areas of a building used in connection with court proceedings is amended. Instead of referencing the definition of "weapon" contained in another dangerous weapons statute, prohibited weapons are specifically listed and include all previously prohibited weapons, as well as any knife, dagger, dirk, or other similar weapon that is capable of causing death or bodily injury and is commonly used with the intent to cause death or bodily injury.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) This bill comes from a review of court security issues conducted by the Court Security Committee of the Board for Judicial Administration. The bill is intended to close a loophole in the statute that provides that dirks, daggers, and pistols have to be carried with intent to conceal in order to be prohibited in court facilities. The bill closes this loophole and makes clear that openly carrying a knife or other similar weapon is prohibited in our court facilities.

(Opposed) None.

Persons Testifying: Brett Buckley, Board of Judicial Administration and District and Municipal Court Judges' Association; and Mellani McAleenan, Board of Judicial Administration.

Persons Signed In To Testify But Not Testifying: None.