

SENATE BILL REPORT

SB 5500

As Reported by Senate Committee On:
Law & Justice, February 12, 2015

Title: An act relating to permitting retired law enforcement officers to carry firearms on school facilities.

Brief Description: Permitting retired law enforcement officers to carry firearms on school facilities.

Sponsors: Senators Roach, Angel, Bailey, Warnick, Honeyford, Dansel, Parlette and Padden.

Brief History:

Committee Activity: Law & Justice: 1/29/15, 2/12/15 [DP, DNP].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pearson and Roach.

Minority Report: Do not pass.

Signed by Senators Pedersen, Ranking Minority Member; Darneille and Kohl-Welles.

Staff: Aldo Melchiori (786-7439)

Background: Possessing or carrying a firearm or dangerous weapon on public or private school premises, transportation, or areas of school facilities being used by schools is a gross misdemeanor. If the person has a concealed pistol license, it is revoked for three years. A violation by a student is also grounds for expulsion. A person between 12 and 21 years of age must be detained for up to 72 hours and must not be released until after an examination by a designated mental health professional, unless a court orders otherwise.

It is not a violation for the following persons to possess or carry a firearm or dangerous weapon at or on school facilities:

- any student or employee of a private military academy when on the property of the academy;
- any person engaged in military, law enforcement, or school district security activities. However, a person who is not a commissioned law enforcement officer and who provides school security services under the direction of a school

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- administrator may possess a stun gun if the person has successfully completed training in the use of such devices that is equivalent to the training received by commissioned law enforcement officers;
- any person who is involved in a convention, showing, demonstration, lecture, or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;
 - any person while the person is participating in a firearms or air gun competition approved by the school or school district;
 - any person in possession of a pistol who has been issued a concealed pistol license, or is exempt from the licensing requirement, while picking up or dropping off a student;
 - any nonstudent at least 18 years of age legally in possession of a firearm or dangerous weapon that is secured within an attended vehicle or concealed from view within a locked unattended vehicle while conducting legitimate business at the school;
 - any nonstudent at least 18 years of age who is in lawful possession of an unloaded firearm, secured in a vehicle while conducting legitimate business at the school; or
 - any law enforcement officer of the federal, state, or local government agency.

Summary of Bill: Any law enforcement officer who retired from a agency within Washington and who is permitted to carry a concealed pistol may possess or carry a firearm or dangerous weapon at or on school facilities.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Retired law enforcement officers have been trained on how to use firearms and we need to take advantage of their expertise. These retired officers could have a very good chance to help people when emergencies happen on school grounds.

CON: This would be an additional risk at schools because the retired officers' identification is not checked when they enter school facilities. The school personnel will not know if the retired officer is now mentally ill.

Persons Testifying: PRO: Senator Roach, prime sponsor.

CON: Timothy Moses, citizen.