

SHB 1630 - H AMD 834

By Representative Hansen

ADOPTED AS AMENDED 02/14/2022

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 9.41.280 and 2019 c 325 s 5001 are each amended to
4 read as follows:

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

11 (a) Any firearm;

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

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

16 (d) Any device, commonly known as "throwing stars," which are
17 multipointed, metal objects designed to embed upon impact from any
18 aspect;

19 (e) Any air gun, including any air pistol or air rifle, designed
20 to propel a BB, pellet, or other projectile by the discharge of
21 compressed air, carbon dioxide, or other gas; or

22 (f) (i) Any portable device manufactured to function as a weapon
23 and which is commonly known as a stun gun, including a projectile
24 stun gun which projects wired probes that are attached to the device
25 that emit an electrical charge designed to administer to a person or
26 an animal an electric shock, charge, or impulse; or

27 (ii) Any device, object, or instrument which is used or intended
28 to be used as a weapon with the intent to injure a person by an
29 electric shock, charge, or impulse.

30 (2) Any such person violating subsection (1) of this section is
31 guilty of a gross misdemeanor. If any person is convicted of a
32 violation of subsection (1)(a) of this section, the person shall have

1 his or her concealed pistol license, if any revoked for a period of
2 three years. Anyone convicted under this subsection is prohibited
3 from applying for a concealed pistol license for a period of three
4 years. The court shall send notice of the revocation to the
5 department of licensing, and the city, town, or county which issued
6 the license.

7 Any violation of subsection (1) of this section by elementary or
8 secondary school students constitutes grounds for expulsion from the
9 state's public schools in accordance with RCW 28A.600.010. An
10 appropriate school authority shall promptly notify law enforcement
11 and the student's parent or guardian regarding any allegation or
12 indication of such violation.

13 Upon the arrest of a person at least twelve years of age and not
14 more than twenty-one years of age for violating subsection (1)(a) of
15 this section, the person shall be detained or confined in a juvenile
16 or adult facility for up to seventy-two hours. The person shall not
17 be released within the seventy-two hours until after the person has
18 been examined and evaluated by the designated crisis responder unless
19 the court in its discretion releases the person sooner after a
20 determination regarding probable cause or on probation bond or bail.

21 Within twenty-four hours of the arrest, the arresting law
22 enforcement agency shall refer the person to the designated crisis
23 responder for examination and evaluation under chapter 71.05 or 71.34
24 RCW and inform a parent or guardian of the person of the arrest,
25 detention, and examination. The designated crisis responder shall
26 examine and evaluate the person subject to the provisions of chapter
27 71.05 or 71.34 RCW. The examination shall occur at the facility in
28 which the person is detained or confined. If the person has been
29 released on probation, bond, or bail, the examination shall occur
30 wherever is appropriate.

31 Upon completion of any examination by the designated crisis
32 responder, the results of the examination shall be sent to the court,
33 and the court shall consider those results in making any
34 determination about the person.

35 The designated crisis responder shall, to the extent permitted by
36 law, notify a parent or guardian of the person that an examination
37 and evaluation has taken place and the results of the examination.
38 Nothing in this subsection prohibits the delivery of additional,
39 appropriate mental health examinations to the person while the person
40 is detained or confined.

1 If the designated crisis responder determines it is appropriate,
2 the designated crisis responder may refer the person to the local
3 behavioral health administrative services organization for follow-up
4 services or other community providers for other services to the
5 family and individual.

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

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

9 (b) Any person engaged in military, law enforcement, or school
10 district security activities. However, a person who is not a
11 commissioned law enforcement officer and who provides school security
12 services under the direction of a school administrator may not
13 possess a device listed in subsection (1)(f) of this section unless
14 he or she has successfully completed training in the use of such
15 devices that is equivalent to the training received by commissioned
16 law enforcement officers;

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

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

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

27 (f) Any nonstudent at least eighteen years of age legally in
28 possession of a firearm or dangerous weapon that is secured within an
29 attended vehicle or concealed from view within a locked unattended
30 vehicle while conducting legitimate business at the school;

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

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

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

1 (5) Subsection (1)(f)(i) of this section does not apply to any
2 person who possesses a device listed in subsection (1)(f)(i) of this
3 section, if the device is possessed and used solely for the purpose
4 approved by a school for use in a school authorized event, lecture,
5 or activity conducted on the school premises.

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

9 (7) "GUN-FREE ZONE" signs shall be posted around school
10 facilities giving warning of the prohibition of the possession of
11 firearms on school grounds.

12 **Sec. 2.** RCW 9.41.305 and 2021 c 261 s 2 are each amended to read
13 as follows:

14 (1) Unless exempt under subsection (~~((4))~~) (3) of this section,
15 it is unlawful for any person to knowingly open carry a firearm or
16 other weapon, as defined in RCW 9.41.300(1)(b), while knowingly being
17 in the following locations:

18 (a) The west state capitol campus grounds; any buildings on the
19 state capitol grounds; any state legislative office; or any location
20 of a public state legislative hearing or meeting during the hearing
21 or meeting; or

22 (b) City, town, county, or other municipality buildings used in
23 connection with meetings of the governing body of the city, town,
24 county, or other municipality, or any location of a public meeting or
25 hearing of the governing body of a city, town, county, or other
26 municipality during the hearing or meeting.

27 (2) For the purposes of this section:

28 (a) "Buildings on the state capitol grounds" means the following
29 buildings located on the state capitol grounds, commonly known as
30 Legislative, Temple of Justice, John L. O'Brien, John A. Cherberg,
31 Irving R. Newhouse, Joel M. Pritchard, Helen Sommers, Insurance,
32 Governor's Mansion, Visitor Information Center, Carlyon House, Ayer
33 House, General Administration, 1500 Jefferson, James M. Dolliver, Old
34 Capitol, Capitol Court, State Archives, Natural Resources, Office
35 Building #2, Highway-License, Transportation, Employment Security,
36 Child Care Center, Union Avenue, Washington Street, Professional
37 Arts, State Farm, and Powerhouse Buildings.

38 (~~((3))~~) (b) "Governing body" has the same meaning as in RCW
39 42.30.020.

1 (c) "West state capitol campus grounds" means areas of the campus
2 south of Powerhouse Rd. SW, south of Union Avenue SW as extended
3 westward to Powerhouse Rd. SW, west of Capitol Way, north of 15th
4 Avenue SW between Capitol Way S. and Water Street SW, west of Water
5 Street between 15th Avenue SW and 16th Avenue SW, north of 16th
6 Avenue SW between Water Street SW and the east banks of Capitol Lake,
7 and east of the banks of Capitol Lake.

8 ~~((4))~~ (3) Duly authorized federal, state, or local law
9 enforcement officers or personnel are exempt from this section when
10 carrying a firearm or other weapon in conformance with their
11 employing agency's policy. Members of the armed forces of the United
12 States or the state of Washington are exempt from this section when
13 carrying a firearm or other weapon in the discharge of official duty
14 or traveling to or from official duty.

15 ~~((5))~~ (4) A person violating this section is guilty of a gross
16 misdemeanor.

17 ~~((6))~~ (5) Nothing in this section applies to the lawful
18 concealed carry of a firearm by a person who has a valid concealed
19 pistol license.

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 9.41 RCW
21 to read as follows:

22 (1) Except as provided in subsections (3) and (4) of this
23 section, it is unlawful for a person to knowingly carry onto, or to
24 possess in, a ballot counting center, a voting center, a student
25 engagement hub, or the county elections and voter registration
26 office, or areas of facilities while being used as a ballot counting
27 center, a voting center, a student engagement hub, or the county
28 elections and voter registration office:

29 (a) Any firearm;

30 (b) Any other dangerous weapon as described in RCW 9.41.250;

31 (c) Any air gun, including any air pistol or air rifle, designed
32 to propel a BB, pellet, or other projectile by the discharge of
33 compressed air, carbon dioxide, or other gas;

34 (d) (i) Any portable device manufactured to function as a weapon
35 and which is commonly known as a stun gun, including a projectile
36 stun gun that projects wired probes that are attached to the device
37 that emit an electrical charge designed to administer to a person or
38 an animal an electric shock, charge, or impulse; or

1 (ii) Any device, object, or instrument that is used or intended
2 to be used as a weapon with the intent to injure a person by an
3 electric shock, charge, or impulse; or

4 (e) Any spring blade knife as defined in RCW 9.41.250.

5 (2) A person who violates subsection (1) of this section is
6 guilty of a gross misdemeanor. If a person is convicted of a
7 violation of subsection (1)(a) of this section, the person shall have
8 his or her concealed pistol license, if any, revoked for a period of
9 three years. Anyone convicted under subsection (1)(a) of this section
10 is prohibited from applying for a concealed pistol license for a
11 period of three years from the date of conviction. The court shall
12 order the person to immediately surrender any concealed pistol
13 license, and within three business days notify the department of
14 licensing in writing of the required revocation of any concealed
15 pistol license held by the person. Upon receipt of the notification
16 by the court, the department of licensing shall determine if the
17 person has a concealed pistol license. If the person does have a
18 concealed pistol license, the department of licensing shall
19 immediately notify the license-issuing authority which, upon receipt
20 of the notification, shall immediately revoke the license.

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

22 (a) Any law enforcement officer of a federal, state, or local
23 government agency; or

24 (b) Any security personnel hired by a county and engaged in
25 security specifically for a counting center, a voting center, a
26 student engagement hub, or the county elections and voter
27 registration office or areas of facilities used for such purposes.
28 However, a person who is not a commissioned law enforcement officer
29 and who provides elections and voter registration security services
30 under the direction of a county may not possess a firearm or device
31 listed in subsection (1)(d) of this section unless he or she has
32 successfully completed training in the use of firearms or such
33 devices that is equivalent to the training received by commissioned
34 law enforcement officers.

35 (4) Subsection (1) of this section does not prohibit concealed
36 carry of a pistol, by a person licensed to carry a concealed pistol
37 pursuant to RCW 9.41.070, in any voting center, student engagement
38 hub, county elections and voter registration office, or areas of
39 facilities while being used as a voting center, student engagement
40 hub, or county elections and voter registration office. However, no

1 weapon restricted by this section, whether concealed or openly
2 carried, may be possessed in any ballot counting center or areas of
3 facilities while being used as a ballot counting center.

4 (5) Elections officers and officials must post signs providing
5 notice of the restriction on possession of firearms and other weapons
6 at each counting center, voting center, student engagement hub, or
7 county elections and voter registration office, or areas of
8 facilities while being used as a counting center, a voting center, a
9 student engagement hub, or the county elections and voter
10 registration office.

11 (6) For the purposes of this section:

12 (a) "Ballot counting center" has the same meaning as "counting
13 center" in RCW 29A.04.019;

14 (b) "Voting center" means a voting center as described in RCW
15 29A.40.160; and

16 (c) "Student engagement hub" means a student engagement hub as
17 described in RCW 29A.40.180.

18 **Sec. 4.** RCW 9.41.280 and 2022 c . . . s 1 (section 1 of this
19 act) and 2022 c . . . (Substitute House Bill No. 1224) s 2 are each
20 reenacted to read as follows:

21 (1) It is unlawful for a person to knowingly carry onto, or to
22 possess on, public or private elementary or secondary school
23 premises, school-provided transportation, areas of facilities while
24 being used exclusively by public or private schools, or areas of
25 facilities while being used for official meetings of a school
26 district board of directors:

27 (a) Any firearm;

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

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

32 (d) Any device, commonly known as "throwing stars," which are
33 multipointed, metal objects designed to embed upon impact from any
34 aspect;

35 (e) Any air gun, including any air pistol or air rifle, designed
36 to propel a BB, pellet, or other projectile by the discharge of
37 compressed air, carbon dioxide, or other gas;

38 (f) (i) Any portable device manufactured to function as a weapon
39 and which is commonly known as a stun gun, including a projectile

1 stun gun which projects wired probes that are attached to the device
2 that emit an electrical charge designed to administer to a person or
3 an animal an electric shock, charge, or impulse; or

4 (ii) Any device, object, or instrument which is used or intended
5 to be used as a weapon with the intent to injure a person by an
6 electric shock, charge, or impulse; or

7 (g) Any spring blade knife as defined in RCW 9.41.250.

8 (2) Any such person violating subsection (1) of this section is
9 guilty of a gross misdemeanor. If any person is convicted of a
10 violation of subsection (1)(a) of this section, the person shall have
11 his or her concealed pistol license, if any revoked for a period of
12 three years. Anyone convicted under this subsection is prohibited
13 from applying for a concealed pistol license for a period of three
14 years. The court shall send notice of the revocation to the
15 department of licensing, and the city, town, or county which issued
16 the license.

17 Any violation of subsection (1) of this section by elementary or
18 secondary school students constitutes grounds for expulsion from the
19 state's public schools in accordance with RCW 28A.600.010. An
20 appropriate school authority shall promptly notify law enforcement
21 and the student's parent or guardian regarding any allegation or
22 indication of such violation.

23 Upon the arrest of a person at least 12 years of age and not more
24 than 21 years of age for violating subsection (1)(a) of this section,
25 the person shall be detained or confined in a juvenile or adult
26 facility for up to 72 hours. The person shall not be released within
27 the 72 hours until after the person has been examined and evaluated
28 by the designated crisis responder unless the court in its discretion
29 releases the person sooner after a determination regarding probable
30 cause or on probation bond or bail.

31 Within 24 hours of the arrest, the arresting law enforcement
32 agency shall refer the person to the designated crisis responder for
33 examination and evaluation under chapter 71.05 or 71.34 RCW and
34 inform a parent or guardian of the person of the arrest, detention,
35 and examination. The designated crisis responder shall examine and
36 evaluate the person subject to the provisions of chapter 71.05 or
37 71.34 RCW. The examination shall occur at the facility in which the
38 person is detained or confined. If the person has been released on
39 probation, bond, or bail, the examination shall occur wherever is
40 appropriate.

1 Upon completion of any examination by the designated crisis
2 responder, the results of the examination shall be sent to the court,
3 and the court shall consider those results in making any
4 determination about the person.

5 The designated crisis responder shall, to the extent permitted by
6 law, notify a parent or guardian of the person that an examination
7 and evaluation has taken place and the results of the examination.
8 Nothing in this subsection prohibits the delivery of additional,
9 appropriate mental health examinations to the person while the person
10 is detained or confined.

11 If the designated crisis responder determines it is appropriate,
12 the designated crisis responder may refer the person to the local
13 behavioral health administrative services organization for follow-up
14 services or the health care authority or other community providers
15 for other services to the family and individual.

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

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

19 (b) Any person engaged in military, law enforcement, or school
20 district security activities. However, a person who is not a
21 commissioned law enforcement officer and who provides school security
22 services under the direction of a school administrator may not
23 possess a device listed in subsection (1)(f) of this section unless
24 he or she has successfully completed training in the use of such
25 devices that is equivalent to the training received by commissioned
26 law enforcement officers;

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

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

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

37 (f) Any nonstudent at least 18 years of age legally in possession
38 of a firearm or dangerous weapon that is secured within an attended
39 vehicle or concealed from view within a locked unattended vehicle
40 while conducting legitimate business at the school;

1 (g) Any nonstudent at least 18 years of age who is in lawful
2 possession of an unloaded firearm, secured in a vehicle while
3 conducting legitimate business at the school; or

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

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

10 (5) Subsection (1)(f)(i) of this section does not apply to any
11 person who possesses a device listed in subsection (1)(f)(i) of this
12 section, if the device is possessed and used solely for the purpose
13 approved by a school for use in a school authorized event, lecture,
14 or activity conducted on the school premises.

15 (6) Except as provided in subsection (3)(b), (c), (f), and (h) of
16 this section, firearms are not permitted in a public or private
17 school building.

18 (7) "GUN-FREE ZONE" signs shall be posted around school
19 facilities giving warning of the prohibition of the possession of
20 firearms on school grounds.

21 NEW SECTION. **Sec. 5.** Section 4 of this act takes effect July 1,
22 2022. Section 4 of this act takes effect only if Substitute House
23 Bill No. 1224 is enacted into law by the effective date of this
24 section."

25 Correct the title.

EFFECT: Specifically lists spring blade knives in the list of
weapons prohibited in election-related facilities. Includes language
to avoid a double amendment by reenacting RCW 9.41.280 and providing
a contingent effective date.

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