

SENATE BILL REPORT

ESHB 1630

As of February 21, 2022

Title: An act relating to establishing restrictions on the possession of weapons in certain locations.

Brief Description: Establishing restrictions on the possession of weapons in certain locations.

Sponsors: House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Senn, Berg, Ryu, Berry, Wicks, Bateman, Ramel, Fitzgibbon, Sells, Walen, Valdez, Callan, Cody, Davis, Goodman, Taylor, Macri, Peterson, Ramos, Santos, Slatter, Bergquist, Tharinger, Kloba, Pollet, Harris-Talley, Hackney and Frame).

Brief History: Passed House: 2/14/22, 57-41.

Committee Activity: Law & Justice: 2/21/22.

Brief Summary of Bill

- Prohibits the knowing open carry and possession of firearms and other prohibited weapons on to or in school areas and areas of facilities while being used for official meetings of a school district board of directors and requires the school district board of directors to post signs at such locations providing notice of the restrictions.
- Prohibits the knowing open carry of firearms and other prohibited weapons while knowingly being in a local government building used in connection with meetings of the governing body of the local government or any location of a public meeting or hearing of the governing body of a local government during the meeting or hearing and requires a local government to post signs at such locations providing notice of the restrictions.
- Prohibits the knowing carry and possession of firearms and other prohibited weapons in election-related offices and facilities and requires election officials to post signs at election-related facilities providing

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notice of the restrictions.

- Makes violations of these restrictions a gross misdemeanor offense and creates exemptions from the restrictions.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Ryan Giannini (786-7285)

Background: State law regulates locations where firearms and other weapons are carried and the manner in which firearms and other weapons are carried or displayed.

Other prohibited weapons include nun-chu-ka sticks; throwing stars; air guns; stun guns; devices intended to injure a person with an electric shock, charge, or impulse; and weapons listed under the dangerous weapons statute.

Weapons Prohibited on School Grounds. It is a gross misdemeanor offense for a person to possess firearms or prohibited weapons on public or private elementary or secondary school premises, school-provided transportation, or areas of facilities that are being used exclusively by public or private schools, subject to various exemptions.

Notice must be posted at reasonable intervals around the perimeter of any location where weapons are prohibited to alert the public that firearms are prohibited at the location.

Open Carry of Firearms and Weapons. Washington law does not generally prohibit the open carry of firearms in public locations where the possession of weapons is not otherwise prohibited, except with respect to permitted demonstrations and state capitol campus grounds and legislative facilities.

It is a gross misdemeanor offense for a person to knowingly open carry a firearm or other weapon while knowingly being in the following locations: on the west state capitol campus grounds; in any buildings on the state capitol grounds; in any state legislative office; or at any location of a public legislative hearing or meeting during the hearing or meeting, subject to various exemptions. A violation is a gross misdemeanor offense.

Summary of Bill: Restrictions on the carrying and possession of firearms and other weapons are established for areas used in connection with meetings of local government governing bodies and school district boards of directors, and for certain election-related facilities.

School Board Meetings. A person is prohibited from knowingly carrying or possessing firearms or other weapons in areas of facilities while being used for official meetings of a school district board of directors. A violation is a gross misdemeanor offense. A person

who violates this restriction must have their concealed pistol license (CPL), if any, revoked for three years, and is prohibited from applying for a CPL for three years from the date of conviction.

There are various exemptions to this prohibition including for law enforcement officers; any person engaged in military, law enforcement, or school district security activities; and any CPL holder while picking up or dropping off a student.

A school district board of directors must post signs providing notice of the restrictions on possession of firearms and other weapons at facilities being used for meetings of the school district board of directors.

Local Government Meetings. It is unlawful for a person to knowingly open carry a weapon while being in city, town, county, or other municipality buildings used in connection with meetings of the governing body of the city, town, county, or other municipality; or any location of a public meeting or hearing of the governing body of a city, town, county, or other municipality during the meeting or hearing.

Exemptions to the prohibition are provided for federal, state, and local law enforcement officers and personnel when carrying a firearm or weapon in conformance with their employing agency's policy, and members of the armed forces of the United States or the State of Washington when carrying a firearm or other weapon in the discharge of official duty or traveling to or from official duty. These prohibitions do not apply to the lawful concealed carry of a firearm by a person who has a valid CPL.

Cities, towns, counties, and other municipalities must post signs at locations where firearms and weapons are restricted to provide notice of the restrictions.

Election-Related Facilities. The knowing carry and possession of firearms and other weapons in certain election offices and facilities is prohibited. Restricted locations include ballot counting centers, voting centers, student engagement hubs, county elections and voter registration offices, and areas of facilities used as a ballot counting center, voting center, student engagement hub, or county elections and voter registration office.

These restrictions do not apply to any federal, state, or local law enforcement officer; or any security personnel hired by a county and engaged in providing security for a counting center, a voting center, a student engagement hub; or the county elections and voter registration office or areas of facilities used for such purposes. These restrictions do not apply to concealed carry of a pistol by a CPL holder in any voting center, student engagement hub, county elections and voter registration office, or areas of facilities while being used as a voting center, student engagement hub, or county elections and voter registration office. These exemptions do not apply to carrying or possessing firearms in any ballot counting center or areas of facilities while being used as a ballot counting center.

A violation of these restrictions is punishable as a gross misdemeanor. Any person convicted of carrying or possessing a firearm in violation of this restriction must have their CPL, if any, revoked for three years, and is prohibited from applying for a CPL for three years from the date of conviction.

Elections officers and officials must post signs providing notice of these restrictions at each counting center, voting center, student engagement hub, county elections and voter registration office, or areas of facilities used for such purposes.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains several effective dates. Please refer to the bill.