
HOUSE BILL 1481

State of Washington

67th Legislature

2021 Regular Session

By Representatives Chase, Dufault, Sutherland, and Eslick

Read first time 02/03/21. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to authorizing certain school employees to carry
2 firearms on school grounds; amending RCW 9.41.280; and prescribing
3 penalties.

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

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

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

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

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

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

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

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

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

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

1 released on probation, bond, or bail, the examination shall occur
2 wherever is appropriate.

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

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

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

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

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

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

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

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

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

39 (f) Any nonstudent at least eighteen years of age legally in
40 possession of a firearm or dangerous weapon that is secured within an

1 attended vehicle or concealed from view within a locked unattended
2 vehicle while conducting legitimate business at the school;

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

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

8 (4) Subsection (1)(a) of this section does not apply to any
9 school personnel who has a valid concealed pistol license issued
10 under RCW 9.41.070. For the purposes of this section, "school
11 personnel" means any person employed by a school district, excluding
12 classroom teachers as defined in RCW 28A.150.203 and paraeducators as
13 defined in RCW 28A.413.010.

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

18 ((+5)) (6) Subsection (1)(f)(i) of this section does not apply
19 to any person who possesses a device listed in subsection (1)(f)(i)
20 of this section, if the device is possessed and used solely for the
21 purpose approved by a school for use in a school authorized event,
22 lecture, or activity conducted on the school premises.

23 ((+6)) (7) Except as provided in subsection (3)(b), (c), (f),
24 and (h) of this section, firearms are not permitted in a public or
25 private school building.

26 ((+7)) (8) "GUN-FREE ZONE" signs shall be posted around school
27 facilities giving warning of the prohibition of the possession of
28 firearms on school grounds.

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