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**Community Safety, Justice, & Reentry  
Committee**

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**HB 2079**

**Brief Description:** Improving school safety by extending and increasing penalties for interference by, or intimidation by threat of, force or violence at schools and athletic activities.

**Sponsors:** Representatives Schmidt, Riccelli, Low, Christian, Klicker, Ormsby, McClintock and Couture.

**Brief Summary of Bill**

- Expands the school-related crimes of Interference by Force or Violence and Intimidation by Threat of Force or Violence and increases the penalty for both offenses to a class C felony.
- Provides that a public school student who interferes by force or violence is subject to emergency removal, or if the student committed the offense during extracurricular athletic activities, may be excluded from participating in or attending that activity for up to 12 months.
- Provides that a person, other than a student, convicted of Interference by Force or Violence must be excluded from entering the school where the offense was committed, or from attending the extracurricular activities in which the offense was committed, for up to 12 months.

**Hearing Date:** 1/25/24

**Staff:** Lena Langer (786-7192).

**Background:**

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

Classification of Crimes.

Crimes are classified as misdemeanors, gross misdemeanors, or class A, B, or C felonies. While there are exceptions, the classification of a crime generally determines the maximum term of confinement and fine for an offense. For each classification, the maximum terms of confinement and maximum fines are as follows:

Classification	Maximum Confinement	Maximum Fine
Misdemeanor	90 Days	\$1,000
Gross Misdemeanor	364 Days	\$5,000
Class C Felony	5 Years	\$10,000
Class B Felony	10 Years	\$20,000
Class A Felony	Life	\$50,000

For most felony offenses, the Sentencing Reform Act determines a specific sentence range within the statutory maximum according to a sentencing grid. The sentencing grid provides a standard range of months for the sentence, based on both the severity, or "seriousness level," of the offense and the convicted person's "offender score," which is based on the person's criminal history.

Interference or Intimidation by Force or Violence.

It is a gross misdemeanor for a person to interfere by force or violence with a teacher, administrator, classified employee, contract employee, or student who is in the peaceful discharge or conduct of his or her duties or studies. The penalty for Interference by Force or Violence is a fine of up to \$500, confinement for not more than six months, or both.

A student who interferes by force or violence with a teacher, administrator, classified employee, contract employee, or student is subject to immediate suspension or expulsion.

It is a gross misdemeanor for a person to intimidate by threat of force or violence a teacher, administrator, classified employee, or student who is in the peaceful discharge or conduct of his or her duties or studies. The penalty for Intimidating by Threat of Force or Violence is a fine of up to \$500, confinement for not more than six months, or both.

Emergency Removal of Students.

Emergency removals must end or be converted to another form of corrective action within 10 school days from the date of the emergency removal from school. In addition, school districts are required to provide an opportunity for students to receive educational services while they are emergency removed. The rules of the Superintendent of Public Instruction provide that a student may be removed from their school placement when the school district has sufficient cause to believe that the student's presence poses either an immediate and continuing danger to other students or school personnel or an immediate and continuing threat of material and substantial disruption of the educational process.

**Summary of Bill:**

It is a class C felony for a person to interfere by force or violence with, or to intimidate by threat of force or violence, an employee or contractor of a public or private elementary or secondary school, an elementary or secondary student, or an official or volunteer acting as an official, for extracurricular athletic activities of elementary or secondary students while that person is in the peaceful discharge or conduct of his or her duties or studies.

A public school student who interferes by force or violence is subject to emergency removal, under the statute prescribing the process for such removals. If a student interferes by force or violence during extracurricular athletic activities, the student may be excluded from participating in or attending that activity for up to 12 months.

A person, other than a student, convicted of Interference by Force or Violence must be excluded from entering the school where the offense was committed, or from attending the extracurricular athletic activities in which the offense was committed, for up to 12 months.

**Appropriation:** None.

**Fiscal Note:** Requested on January 17, 2024.

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