
ENGROSSED SUBSTITUTE SENATE BILL 5891

State of Washington

68th Legislature

2024 Regular Session

By Senate Law & Justice (originally sponsored by Senators Boehnke, Lovick, Keiser, Liiias, Mullet, Torres, Wagoner, Warnick, C. Wilson, and J. Wilson)

READ FIRST TIME 01/26/24.

1 AN ACT Relating to protecting the safety and security of students
2 and maintaining order within school buses by designating trespassing
3 on a school bus as a criminal offense; reenacting and amending RCW
4 9.94A.515; adding a new section to chapter 9A.52 RCW; creating a new
5 section; and prescribing penalties.

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

7 NEW SECTION. **Sec. 1.** This act may be known and cited as the
8 Richard Lenhart act.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 9A.52
10 RCW to read as follows:

11 (1) A person is guilty of school bus trespass if he or she
12 knowingly and maliciously:

13 (a) Enters or remains unlawfully in a school bus;

14 (b) Does any other act that creates a substantial risk of harm to
15 passengers or the driver; and

16 (c) Causes a substantial interruption or impairment to services
17 rendered by the school bus.

18 (2) As used in this section, "school bus" means any vehicle
19 owned, leased, or operated by a public school district, a religious
20 or private school, a private entity contracted with a school

1 district, or educational institution for the purpose of transporting
2 students to and from school or school-related activities.

3 (3) School bus trespass is a class C felony.

4 (4) Subsection (1) of this section shall not apply to any of the
5 following:

6 (a) Students enrolled in the school which is being serviced by
7 the school bus who are under the age of 19;

8 (b) Law enforcement officers or other authorized personnel
9 engaged in the performance of their official duties;

10 (c) Individuals with written consent from the school district or
11 educational institution allowing them to enter or remain on the
12 school bus; and

13 (d) Emergency situations where entering the bus is necessary to
14 protect the safety or well-being of students or others.

15 (5) Local law enforcement agencies shall have the authority to
16 enforce the provisions of this act. School districts and educational
17 institutions shall collaborate with local law enforcement to
18 establish protocols and procedures to ensure effective enforcement of
19 this act.

20 (6) School districts and educational institutions shall implement
21 educational programs and awareness campaigns to educate students,
22 parents, and the community about the importance of maintaining safety
23 and security on school buses. These educational programs shall
24 emphasize the potential consequences of school bus trespassing in
25 accordance with this act.

26 (7) Subject to the availability of funds appropriated for this
27 specific purpose, school districts and educational institutions shall
28 affix placards warning of the consequences of violating subsection
29 (1) of this section on the outside of all public school buses in a
30 manner easily visible for all to see.

31 **Sec. 3.** RCW 9.94A.515 and 2023 c 196 s 3 and 2023 c 7 s 3 are
32 each reenacted and amended to read as follows:

33 TABLE 2

34 CRIMES INCLUDED WITHIN EACH
35 SERIOUSNESS LEVEL

36 XVI Aggravated Murder 1 (RCW 10.95.020)

37 XV Homicide by abuse (RCW 9A.32.055)

1 Malicious explosion 1 (RCW
2 70.74.280(1))
3 Murder 1 (RCW 9A.32.030)
4 XIV Murder 2 (RCW 9A.32.050)
5 Trafficking 1 (RCW 9A.40.100(1))
6 XIII Malicious explosion 2 (RCW
7 70.74.280(2))
8 Malicious placement of an explosive 1
9 (RCW 70.74.270(1))
10 XII Assault 1 (RCW 9A.36.011)
11 Assault of a Child 1 (RCW 9A.36.120)
12 Malicious placement of an imitation
13 device 1 (RCW 70.74.272(1)(a))
14 Promoting Commercial Sexual Abuse of
15 a Minor (RCW 9.68A.101)
16 Rape 1 (RCW 9A.44.040)
17 Rape of a Child 1 (RCW 9A.44.073)
18 Trafficking 2 (RCW 9A.40.100(3))
19 XI Manslaughter 1 (RCW 9A.32.060)
20 Rape 2 (RCW 9A.44.050)
21 Rape of a Child 2 (RCW 9A.44.076)
22 Vehicular Homicide, by being under the
23 influence of intoxicating liquor or
24 any drug (RCW 46.61.520)
25 Vehicular Homicide, by the operation of
26 any vehicle in a reckless manner
27 (RCW 46.61.520)
28 X Child Molestation 1 (RCW 9A.44.083)
29 Criminal Mistreatment 1 (RCW
30 9A.42.020)
31 Indecent Liberties (with forcible
32 compulsion) (RCW
33 9A.44.100(1)(a))
34 Kidnapping 1 (RCW 9A.40.020)

1 Leading Organized Crime (RCW
2 9A.82.060(1)(a))
3 Malicious explosion 3 (RCW
4 70.74.280(3))
5 Sexually Violent Predator Escape (RCW
6 9A.76.115)
7 IX Abandonment of Dependent Person 1
8 (RCW 9A.42.060)
9 Assault of a Child 2 (RCW 9A.36.130)
10 Explosive devices prohibited (RCW
11 70.74.180)
12 Hit and Run—Death (RCW
13 46.52.020(4)(a))
14 Homicide by Watercraft, by being under
15 the influence of intoxicating liquor
16 or any drug (RCW 79A.60.050)
17 Inciting Criminal Profiteering (RCW
18 9A.82.060(1)(b))
19 Malicious placement of an explosive 2
20 (RCW 70.74.270(2))
21 Robbery 1 (RCW 9A.56.200)
22 Sexual Exploitation (RCW 9.68A.040)
23 VIII Arson 1 (RCW 9A.48.020)
24 Commercial Sexual Abuse of a Minor
25 (RCW 9.68A.100)
26 Homicide by Watercraft, by the
27 operation of any vessel in a reckless
28 manner (RCW 79A.60.050)
29 Manslaughter 2 (RCW 9A.32.070)
30 Promoting Prostitution 1 (RCW
31 9A.88.070)
32 Theft of Ammonia (RCW 69.55.010)
33 VII Air bag diagnostic systems (causing
34 bodily injury or death) (RCW
35 46.37.660(2)(b))

1 Air bag replacement requirements
2 (causing bodily injury or death)
3 (RCW 46.37.660(1)(b))
4 Burglary 1 (RCW 9A.52.020)
5 Child Molestation 2 (RCW 9A.44.086)
6 Civil Disorder Training (RCW
7 9A.48.120)
8 Custodial Sexual Misconduct 1 (RCW
9 9A.44.160)
10 Dealing in depictions of minor engaged
11 in sexually explicit conduct 1
12 (RCW 9.68A.050(1))
13 Drive-by Shooting (RCW 9A.36.045)
14 False Reporting 1 (RCW
15 9A.84.040(2)(a))
16 Homicide by Watercraft, by disregard
17 for the safety of others (RCW
18 79A.60.050)
19 Indecent Liberties (without forcible
20 compulsion) (RCW 9A.44.100(1)
21 (b) and (c))
22 Introducing Contraband 1 (RCW
23 9A.76.140)
24 Malicious placement of an explosive 3
25 (RCW 70.74.270(3))
26 Manufacture or import counterfeit,
27 nonfunctional, damaged, or
28 previously deployed air bag
29 (causing bodily injury or death)
30 (RCW 46.37.650(1)(b))
31 Negligently Causing Death By Use of a
32 Signal Preemption Device (RCW
33 46.37.675)

1 Sell, install, or reinstall counterfeit,
2 nonfunctional, damaged, or
3 previously deployed airbag (RCW
4 46.37.650(2)(b))
5 Sending, bringing into state depictions
6 of minor engaged in sexually
7 explicit conduct 1 (RCW
8 9.68A.060(1))
9 Unlawful Possession of a Firearm in the
10 first degree (RCW 9.41.040(1))
11 Use of a Machine Gun or Bump-fire
12 Stock in Commission of a Felony
13 (RCW 9.41.225)
14 Vehicular Homicide, by disregard for
15 the safety of others (RCW
16 46.61.520)
17 VI Bail Jumping with Murder 1 (RCW
18 9A.76.170(3)(a))
19 Bribery (RCW 9A.68.010)
20 Incest 1 (RCW 9A.64.020(1))
21 Intimidating a Judge (RCW 9A.72.160)
22 Intimidating a Juror/Witness (RCW
23 9A.72.110, 9A.72.130)
24 Malicious placement of an imitation
25 device 2 (RCW 70.74.272(1)(b))
26 Possession of Depictions of a Minor
27 Engaged in Sexually Explicit
28 Conduct 1 (RCW 9.68A.070(1))
29 Rape of a Child 3 (RCW 9A.44.079)
30 Theft of a Firearm (RCW 9A.56.300)
31 Theft from a Vulnerable Adult 1 (RCW
32 9A.56.400(1))
33 Unlawful Storage of Ammonia (RCW
34 69.55.020)
35 V Abandonment of Dependent Person 2
36 (RCW 9A.42.070)

1 Advancing money or property for
2 extortionate extension of credit
3 (RCW 9A.82.030)

4 Air bag diagnostic systems (RCW
5 46.37.660(2)(c))

6 Air bag replacement requirements
7 (RCW 46.37.660(1)(c))

8 Bail Jumping with class A Felony
9 (RCW 9A.76.170(3)(b))

10 Child Molestation 3 (RCW 9A.44.089)

11 Criminal Mistreatment 2 (RCW
12 9A.42.030)

13 Custodial Sexual Misconduct 2 (RCW
14 9A.44.170)

15 Dealing in Depictions of Minor
16 Engaged in Sexually Explicit
17 Conduct 2 (RCW 9.68A.050(2))

18 Domestic Violence Court Order
19 Violation (RCW 7.105.450,
20 10.99.040, 10.99.050, 26.09.300,
21 26.26B.050, or 26.52.070)

22 Extortion 1 (RCW 9A.56.120)

23 Extortionate Extension of Credit (RCW
24 9A.82.020)

25 Extortionate Means to Collect
26 Extensions of Credit (RCW
27 9A.82.040)

28 Incest 2 (RCW 9A.64.020(2))

29 Kidnapping 2 (RCW 9A.40.030)

30 Manufacture or import counterfeit,
31 nonfunctional, damaged, or
32 previously deployed air bag (RCW
33 46.37.650(1)(c))

34 Perjury 1 (RCW 9A.72.020)

35 Persistent prison misbehavior (RCW
36 9.94.070)

1 Possession of a Stolen Firearm (RCW
2 9A.56.310)
3 Rape 3 (RCW 9A.44.060)
4 Rendering Criminal Assistance 1 (RCW
5 9A.76.070)
6 Sell, install, or reinstall counterfeit,
7 nonfunctional, damaged, or
8 previously deployed airbag (RCW
9 46.37.650(2)(c))
10 Sending, Bringing into State Depictions
11 of Minor Engaged in Sexually
12 Explicit Conduct 2 (RCW
13 9.68A.060(2))
14 Sexual Misconduct with a Minor 1
15 (RCW 9A.44.093)
16 Sexually Violating Human Remains
17 (RCW 9A.44.105)
18 Stalking (RCW 9A.46.110)
19 Taking Motor Vehicle Without
20 Permission 1 (RCW 9A.56.070)
21 IV Arson 2 (RCW 9A.48.030)
22 Assault 2 (RCW 9A.36.021)
23 Assault 3 (of a Peace Officer with a
24 Projectile Stun Gun) (RCW
25 9A.36.031(1)(h))
26 Assault 4 (third domestic violence
27 offense) (RCW 9A.36.041(3))
28 Assault by Watercraft (RCW
29 79A.60.060)
30 Bribing a Witness/Bribe Received by
31 Witness (RCW 9A.72.090,
32 9A.72.100)
33 Cheating 1 (RCW 9.46.1961)
34 Commercial Bribery (RCW 9A.68.060)
35 Counterfeiting (RCW 9.16.035(4))

1 Driving While Under the Influence
2 (RCW 46.61.502(6))
3 Endangerment with a Controlled
4 Substance (RCW 9A.42.100)
5 Escape 1 (RCW 9A.76.110)
6 Hate Crime (RCW 9A.36.080)
7 Hit and Run—Injury (RCW
8 46.52.020(4)(b))
9 Hit and Run with Vessel—Injury
10 Accident (RCW 79A.60.200(3))
11 Identity Theft 1 (RCW 9.35.020(2))
12 Indecent Exposure to Person Under Age
13 14 (subsequent sex offense) (RCW
14 9A.88.010)
15 Influencing Outcome of Sporting Event
16 (RCW 9A.82.070)
17 Physical Control of a Vehicle While
18 Under the Influence (RCW
19 46.61.504(6))
20 Possession of Depictions of a Minor
21 Engaged in Sexually Explicit
22 Conduct 2 (RCW 9.68A.070(2))
23 Residential Burglary (RCW 9A.52.025)
24 Robbery 2 (RCW 9A.56.210)
25 Theft of Livestock 1 (RCW 9A.56.080)
26 Threats to Bomb (RCW 9.61.160)
27 Trafficking in Stolen Property 1 (RCW
28 9A.82.050)
29 Unlawful factoring of a credit card or
30 payment card transaction (RCW
31 9A.56.290(4)(b))
32 Unlawful transaction of health coverage
33 as a health care service contractor
34 (RCW 48.44.016(3))

1 Unlawful transaction of health coverage
2 as a health maintenance
3 organization (RCW 48.46.033(3))
4 Unlawful transaction of insurance
5 business (RCW 48.15.023(3))
6 Unlicensed practice as an insurance
7 professional (RCW 48.17.063(2))
8 Use of Proceeds of Criminal
9 Profiteering (RCW 9A.82.080 (1)
10 and (2))
11 Vehicle Prowling 2 (third or subsequent
12 offense) (RCW 9A.52.100(3))
13 Vehicular Assault, by being under the
14 influence of intoxicating liquor or
15 any drug, or by the operation or
16 driving of a vehicle in a reckless
17 manner (RCW 46.61.522)
18 Viewing of Depictions of a Minor
19 Engaged in Sexually Explicit
20 Conduct 1 (RCW 9.68A.075(1))
21 III Animal Cruelty 1 (Sexual Conduct or
22 Contact) (RCW 16.52.205(3))
23 Assault 3 (Except Assault 3 of a Peace
24 Officer With a Projectile Stun Gun)
25 (RCW 9A.36.031 except subsection
26 (1)(h))
27 Assault of a Child 3 (RCW 9A.36.140)
28 Bail Jumping with class B or C Felony
29 (RCW 9A.76.170(3)(c))
30 Burglary 2 (RCW 9A.52.030)
31 Communication with a Minor for
32 Immoral Purposes (RCW
33 9.68A.090)
34 Criminal Gang Intimidation (RCW
35 9A.46.120)
36 Custodial Assault (RCW 9A.36.100)

1 Cyber Harassment (RCW
2 9A.90.120(2)(b))
3 Escape 2 (RCW 9A.76.120)
4 Extortion 2 (RCW 9A.56.130)
5 False Reporting 2 (RCW
6 9A.84.040(2)(b))
7 Harassment (RCW 9A.46.020)
8 Hazing (RCW 28B.10.901(2)(b))
9 Intimidating a Public Servant (RCW
10 9A.76.180)
11 Introducing Contraband 2 (RCW
12 9A.76.150)
13 Malicious Injury to Railroad Property
14 (RCW 81.60.070)
15 Manufacture of Untraceable Firearm
16 with Intent to Sell (RCW 9.41.190)
17 Manufacture or Assembly of an
18 Undetectable Firearm or
19 Untraceable Firearm (RCW
20 9.41.325)
21 Mortgage Fraud (RCW 19.144.080)
22 Negligently Causing Substantial Bodily
23 Harm By Use of a Signal
24 Preemption Device (RCW
25 46.37.674)
26 Organized Retail Theft 1 (RCW
27 9A.56.350(2))
28 Perjury 2 (RCW 9A.72.030)
29 Possession of Incendiary Device (RCW
30 9.40.120)
31 Possession of Machine Gun, Bump-Fire
32 Stock, Undetectable Firearm, or
33 Short-Barreled Shotgun or Rifle
34 (RCW 9.41.190)
35 Promoting Prostitution 2 (RCW
36 9A.88.080)

1 Retail Theft with Special Circumstances
2 1 (RCW 9A.56.360(2))
3 School Bus Trespass (section 2 of this
4 act)
5 Securities Act violation (RCW
6 21.20.400)
7 Tampering with a Witness (RCW
8 9A.72.120)
9 Telephone Harassment (subsequent
10 conviction or threat of death) (RCW
11 9.61.230(2))
12 Theft of Livestock 2 (RCW 9A.56.083)
13 Theft with the Intent to Resell 1 (RCW
14 9A.56.340(2))
15 Trafficking in Stolen Property 2 (RCW
16 9A.82.055)
17 Unlawful Hunting of Big Game 1 (RCW
18 77.15.410(3)(b))
19 Unlawful Imprisonment (RCW
20 9A.40.040)
21 Unlawful Misbranding of Fish or
22 Shellfish 1 (RCW 77.140.060(3))
23 Unlawful possession of firearm in the
24 second degree (RCW 9.41.040(2))
25 Unlawful Taking of Endangered Fish or
26 Wildlife 1 (RCW 77.15.120(3)(b))
27 Unlawful Trafficking in Fish, Shellfish,
28 or Wildlife 1 (RCW
29 77.15.260(3)(b))
30 Unlawful Use of a Nondesignated
31 Vessel (RCW 77.15.530(4))
32 Vehicular Assault, by the operation or
33 driving of a vehicle with disregard
34 for the safety of others (RCW
35 46.61.522)

1 II Commercial Fishing Without a License
2 1 (RCW 77.15.500(3)(b))
3 Computer Trespass 1 (RCW 9A.90.040)
4 Counterfeiting (RCW 9.16.035(3))
5 Electronic Data Service Interference
6 (RCW 9A.90.060)
7 Electronic Data Tampering 1 (RCW
8 9A.90.080)
9 Electronic Data Theft (RCW 9A.90.100)
10 Engaging in Fish Dealing Activity
11 Unlicensed 1 (RCW 77.15.620(3))
12 Escape from Community Custody
13 (RCW 72.09.310)
14 Failure to Register as a Sex Offender
15 (second or subsequent offense)
16 (RCW 9A.44.130 prior to June 10,
17 2010, and RCW 9A.44.132)
18 Health Care False Claims (RCW
19 48.80.030)
20 Identity Theft 2 (RCW 9.35.020(3))
21 Improperly Obtaining Financial
22 Information (RCW 9.35.010)
23 Malicious Mischief 1 (RCW 9A.48.070)
24 Organized Retail Theft 2 (RCW
25 9A.56.350(3))
26 Possession of Stolen Property 1 (RCW
27 9A.56.150)
28 Possession of a Stolen Vehicle (RCW
29 9A.56.068)
30 Retail Theft with Special Circumstances
31 2 (RCW 9A.56.360(3))
32 Scrap Processing, Recycling, or
33 Supplying Without a License
34 (second or subsequent offense)
35 (RCW 19.290.100)

1 Theft 1 (RCW 9A.56.030)
2 Theft of a Motor Vehicle (RCW
3 9A.56.065)
4 Theft of Rental, Leased, Lease-
5 purchased, or Loaned Property
6 (valued at \$5,000 or more) (RCW
7 9A.56.096(5)(a))
8 Theft with the Intent to Resell 2 (RCW
9 9A.56.340(3))
10 Trafficking in Insurance Claims (RCW
11 48.30A.015)
12 Unlawful factoring of a credit card or
13 payment card transaction (RCW
14 9A.56.290(4)(a))
15 Unlawful Participation of Non-Indians
16 in Indian Fishery (RCW
17 77.15.570(2))
18 Unlawful Practice of Law (RCW
19 2.48.180)
20 Unlawful Purchase or Use of a License
21 (RCW 77.15.650(3)(b))
22 Unlawful Trafficking in Fish, Shellfish,
23 or Wildlife 2 (RCW
24 77.15.260(3)(a))
25 Unlicensed Practice of a Profession or
26 Business (RCW 18.130.190(7))
27 Voyeurism 1 (RCW 9A.44.115)
28 I Attempting to Elude a Pursuing Police
29 Vehicle (RCW 46.61.024)
30 False Verification for Welfare (RCW
31 74.08.055)
32 Forgery (RCW 9A.60.020)
33 Fraudulent Creation or Revocation of a
34 Mental Health Advance Directive
35 (RCW 9A.60.060)
36 Malicious Mischief 2 (RCW 9A.48.080)

1 Mineral Trespass (RCW 78.44.330)
2 Possession of Stolen Property 2 (RCW
3 9A.56.160)
4 Reckless Burning 1 (RCW 9A.48.040)
5 Spotlighting Big Game 1 (RCW
6 77.15.450(3)(b))
7 Suspension of Department Privileges 1
8 (RCW 77.15.670(3)(b))
9 Taking Motor Vehicle Without
10 Permission 2 (RCW 9A.56.075)
11 Theft 2 (RCW 9A.56.040)
12 Theft from a Vulnerable Adult 2 (RCW
13 9A.56.400(2))
14 Theft of Rental, Leased, Lease-
15 purchased, or Loaned Property
16 (valued at \$750 or more but less
17 than \$5,000) (RCW
18 9A.56.096(5)(b))
19 Transaction of insurance business
20 beyond the scope of licensure
21 (RCW 48.17.063)
22 Unlawful Fish and Shellfish Catch
23 Accounting (RCW 77.15.630(3)(b))
24 Unlawful Issuance of Checks or Drafts
25 (RCW 9A.56.060)
26 Unlawful Possession of Fictitious
27 Identification (RCW 9A.56.320)
28 Unlawful Possession of Instruments of
29 Financial Fraud (RCW 9A.56.320)
30 Unlawful Possession of Payment
31 Instruments (RCW 9A.56.320)
32 Unlawful Possession of a Personal
33 Identification Device (RCW
34 9A.56.320)
35 Unlawful Production of Payment
36 Instruments (RCW 9A.56.320)

1 Unlawful Releasing, Planting,
2 Possessing, or Placing Deleterious
3 Exotic Wildlife (RCW
4 77.15.250(2)(b))
5 Unlawful Trafficking in Food Stamps
6 (RCW 9.91.142)
7 Unlawful Use of Food Stamps (RCW
8 9.91.144)
9 Unlawful Use of Net to Take Fish 1
10 (RCW 77.15.580(3)(b))
11 Vehicle Prowl 1 (RCW 9A.52.095)
12 Violating Commercial Fishing Area or
13 Time 1 (RCW 77.15.550(3)(b))

14 NEW SECTION. **Sec. 4.** If any provision of this act or its
15 application to any person or circumstance is held invalid, the
16 remainder of the act or the application of the provision to other
17 persons or circumstances is not affected.

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