
ENGROSSED SUBSTITUTE HOUSE BILL 1630

State of Washington

67th Legislature

2022 Regular Session

By House 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)

READ FIRST TIME 01/25/22.

1 AN ACT Relating to establishing restrictions on the possession of
2 weapons in certain locations; amending RCW 9.41.280 and 9.41.305;
3 reenacting RCW 9.41.280; adding a new section to chapter 9.41 RCW;
4 prescribing penalties; and providing a contingent effective date.

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

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

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

14 (a) Any firearm;

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

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

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

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

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

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

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

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

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

35 Within twenty-four hours of the arrest, the arresting law
36 enforcement agency shall refer the person to the designated crisis
37 responder for examination and evaluation under chapter 71.05 or 71.34
38 RCW and inform a parent or guardian of the person of the arrest,
39 detention, and examination. The designated crisis responder shall
40 examine and evaluate the person subject to the provisions of chapter

1 71.05 or 71.34 RCW. The examination shall occur at the facility in
2 which the person is detained or confined. If the person has been
3 released on probation, bond, or bail, the examination shall occur
4 wherever is appropriate.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 (8) A school district board of directors must post signs
26 providing notice of the restrictions on possession of firearms and
27 other weapons under this section at facilities being used for
28 official meetings of the school district board of directors.

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

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

35 (a) The west state capitol campus grounds; any buildings on the
36 state capitol grounds; any state legislative office; or any location
37 of a public state legislative hearing or meeting during the hearing
38 or meeting; or

1 **(b) City, town, county, or other municipality buildings used in**
2 **connection with meetings of the governing body of the city, town,**
3 **county, or other municipality, or any location of a public meeting or**
4 **hearing of the governing body of a city, town, county, or other**
5 **municipality during the hearing or meeting.**

6 **(2) For the purposes of this section:**

7 **(a) "Buildings on the state capitol grounds" means the following**
8 **buildings located on the state capitol grounds, commonly known as**
9 **Legislative, Temple of Justice, John L. O'Brien, John A. Cherberg,**
10 **Irving R. Newhouse, Joel M. Pritchard, Helen Sommers, Insurance,**
11 **Governor's Mansion, Visitor Information Center, Carlyon House, Ayer**
12 **House, General Administration, 1500 Jefferson, James M. Dolliver, Old**
13 **Capitol, Capitol Court, State Archives, Natural Resources, Office**
14 **Building #2, Highway-License, Transportation, Employment Security,**
15 **Child Care Center, Union Avenue, Washington Street, Professional**
16 **Arts, State Farm, and Powerhouse Buildings.**

17 **((+3)) (b) "Governing body" has the same meaning as in RCW**
18 **42.30.020.**

19 **(c) "West state capitol campus grounds" means areas of the campus**
20 **south of Powerhouse Rd. SW, south of Union Avenue SW as extended**
21 **westward to Powerhouse Rd. SW, west of Capitol Way, north of 15th**
22 **Avenue SW between Capitol Way S. and Water Street SW, west of Water**
23 **Street between 15th Avenue SW and 16th Avenue SW, north of 16th**
24 **Avenue SW between Water Street SW and the east banks of Capitol Lake,**
25 **and east of the banks of Capitol Lake.**

26 **((+4)) (3) Duly authorized federal, state, or local law**
27 **enforcement officers or personnel are exempt from this section when**
28 **carrying a firearm or other weapon in conformance with their**
29 **employing agency's policy. Members of the armed forces of the United**
30 **States or the state of Washington are exempt from this section when**
31 **carrying a firearm or other weapon in the discharge of official duty**
32 **or traveling to or from official duty.**

33 **((+5)) (4) A person violating this section is guilty of a gross**
34 **misdemeanor.**

35 **((+6)) (5) Nothing in this section applies to the lawful**
36 **concealed carry of a firearm by a person who has a valid concealed**
37 **pistol license.**

38 **(6) A city, town, county, or other municipality must post signs**
39 **providing notice of the restrictions on possession of firearms and**

1 other weapons under this section at any locations specified in
2 subsection (1)(b) of this section.

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

5 (1) Except as provided in subsections (3) and (4) of this
6 section, it is unlawful for a person to knowingly carry onto, or to
7 possess in, a ballot counting center, a voting center, a student
8 engagement hub, or the county elections and voter registration
9 office, or areas of facilities while being used as a ballot counting
10 center, a voting center, a student engagement hub, or the county
11 elections and voter registration office:

12 (a) Any firearm;

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

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

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

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

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

26 (2) A person who violates subsection (1) of this section is
27 guilty of a gross misdemeanor. If a person is convicted of a
28 violation of subsection (1)(a) of this section, the person shall have
29 his or her concealed pistol license, if any, revoked for a period of
30 three years. Anyone convicted under subsection (1)(a) of this section
31 is prohibited from applying for a concealed pistol license for a
32 period of three years from the date of conviction. The court shall
33 order the person to immediately surrender any concealed pistol
34 license, and within three business days notify the department of
35 licensing in writing of the required revocation of any concealed
36 pistol license held by the person. Upon receipt of the notification
37 by the court, the department of licensing shall determine if the
38 person has a concealed pistol license. If the person does have a
39 concealed pistol license, the department of licensing shall

1 immediately notify the license-issuing authority which, upon receipt
2 of the notification, shall immediately revoke the license.

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

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

6 (b) Any security personnel hired by a county and engaged in
7 security specifically for a counting center, a voting center, a
8 student engagement hub, or the county elections and voter
9 registration office or areas of facilities used for such purposes.
10 However, a person who is not a commissioned law enforcement officer
11 and who provides elections and voter registration security services
12 under the direction of a county may not possess a firearm or device
13 listed in subsection (1)(d) of this section unless he or she has
14 successfully completed training in the use of firearms or such
15 devices that is equivalent to the training received by commissioned
16 law enforcement officers.

17 (4) Subsection (1) of this section does not prohibit concealed
18 carry of a pistol, by a person licensed to carry a concealed pistol
19 pursuant to RCW 9.41.070, in any voting center, student engagement
20 hub, county elections and voter registration office, or areas of
21 facilities while being used as a voting center, student engagement
22 hub, or county elections and voter registration office. However, no
23 weapon restricted by this section, whether concealed or openly
24 carried, may be possessed in any ballot counting center or areas of
25 facilities while being used as a ballot counting center.

26 (5) Elections officers and officials must post signs providing
27 notice of the restriction on possession of firearms and other weapons
28 at each counting center, voting center, student engagement hub, or
29 county elections and voter registration office, or areas of
30 facilities while being used as a counting center, a voting center, a
31 student engagement hub, or the county elections and voter
32 registration office.

33 (6) For the purposes of this section:

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

36 (b) "Voting center" means a voting center as described in RCW
37 29A.40.160; and

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

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

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

10 (a) Any firearm;

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

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

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

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

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

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

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

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
33 his or her concealed pistol license, if any revoked for a period of
34 three years. Anyone convicted under this subsection is prohibited
35 from applying for a concealed pistol license for a period of three
36 years. The court shall send notice of the revocation to the
37 department of licensing, and the city, town, or county which issued
38 the license.

39 Any violation of subsection (1) of this section by elementary or
40 secondary school students constitutes grounds for expulsion from the

1 state's public schools in accordance with RCW 28A.600.010. An
2 appropriate school authority shall promptly notify law enforcement
3 and the student's parent or guardian regarding any allegation or
4 indication of such violation.

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

13 Within 24 hours of the arrest, the arresting law enforcement
14 agency shall refer the person to the designated crisis responder for
15 examination and evaluation under chapter 71.05 or 71.34 RCW and
16 inform a parent or guardian of the person of the arrest, detention,
17 and examination. The designated crisis responder shall examine and
18 evaluate the person subject to the provisions of chapter 71.05 or
19 71.34 RCW. The examination shall occur at the facility in which the
20 person is detained or confined. If the person has been released on
21 probation, bond, or bail, the examination shall occur wherever is
22 appropriate.

23 Upon completion of any examination by the designated crisis
24 responder, the results of the examination shall be sent to the court,
25 and the court shall consider those results in making any
26 determination about the person.

27 The designated crisis responder shall, to the extent permitted by
28 law, notify a parent or guardian of the person that an examination
29 and evaluation has taken place and the results of the examination.
30 Nothing in this subsection prohibits the delivery of additional,
31 appropriate mental health examinations to the person while the person
32 is detained or confined.

33 If the designated crisis responder determines it is appropriate,
34 the designated crisis responder may refer the person to the local
35 behavioral health administrative services organization for follow-up
36 services or the health care authority or other community providers
37 for other services to the family and individual.

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

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

1 (b) Any person engaged in military, law enforcement, or school
2 district security activities. However, a person who is not a
3 commissioned law enforcement officer and who provides school security
4 services under the direction of a school administrator may not
5 possess a device listed in subsection (1)(f) of this section unless
6 he or she has successfully completed training in the use of such
7 devices that is equivalent to the training received by commissioned
8 law enforcement officers;

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

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

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

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

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

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

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

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

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

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

4 (8) A school district board of directors must post signs
5 providing notice of the restrictions on possession of firearms and
6 other weapons under this section at facilities being used for
7 official meetings of the school district board of directors.

8 NEW SECTION. **Sec. 5.** Section 4 of this act takes effect July 1,
9 2022. Section 4 of this act takes effect only if Substitute House
10 Bill No. 1224 is enacted into law by the effective date of this
11 section.

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