
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)

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 adding a new section to chapter 9.41 RCW; and prescribing 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 knowingly carry onto, or to
8 possess on, public or private elementary or secondary school
9 premises, school-provided transportation, ~~((or))~~ areas of facilities
10 while being used exclusively by public or private schools, or areas
11 of facilities while being used for official meetings of a school
12 district board of directors:

13 (a) Any firearm;

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

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

18 (d) Any device, commonly known as "throwing stars," which are
19 multipointed, metal objects designed to embed upon impact from any
20 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 **Sec. 2.** RCW 9.41.305 and 2021 c 261 s 2 are each amended to read
26 as follows:

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

31 (a) The west state capitol campus grounds; any buildings on the
32 state capitol grounds; any state legislative office; or any location
33 of a public state legislative hearing or meeting during the hearing
34 or meeting; or

35 (b) City, town, county, or other municipality buildings used in
36 connection with meetings of the governing body of the city, town,
37 county, or other municipality, or any location of a public meeting or
38 hearing of the governing body of a city, town, county, or other
39 municipality during the hearing or meeting.

(2) For the purposes of this section:

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

~~((3))~~ (b) "Governing body" has the same meaning as in RCW 42.30.020.

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

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

~~((5))~~ (4) A person violating this section is guilty of a gross misdemeanor.

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

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

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

center, a voting center, a student engagement hub, or the county elections and voter registration office:

(a) Any firearm;

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

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

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

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

(2) A person who violates subsection (1) of this section is guilty of a gross misdemeanor. If a person is convicted of a violation of subsection (1)(a) of this section, the person shall have his or her concealed pistol license, if any, revoked for a period of three years. Anyone convicted under subsection (1)(a) of this section is prohibited from applying for a concealed pistol license for a period of three years from the date of conviction. The court shall order the person to immediately surrender any concealed pistol license, and within three business days notify the department of licensing in writing of the required revocation of any concealed pistol license held by the person. Upon receipt of the notification by the court, the department of licensing shall determine if the person has a concealed pistol license. If the person does have a concealed pistol license, the department of licensing shall immediately notify the license-issuing authority which, upon receipt of the notification, shall immediately revoke the license.

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

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

(b) Any security personnel hired by a county and engaged in security specifically 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. However, a person who is not a commissioned law enforcement officer and who provides elections and voter registration security services

1 under the direction of a county may not possess a firearm or device
2 listed in subsection (1)(d) of this section unless he or she has
3 successfully completed training in the use of firearms or such
4 devices that is equivalent to the training received by commissioned
5 law enforcement officers.

6 (4) Subsection (1) of this section does not prohibit concealed
7 carry of a pistol, by a person licensed to carry a concealed pistol
8 pursuant to RCW 9.41.070, in any voting center, student engagement
9 hub, county elections and voter registration office, or areas of
10 facilities while being used as a voting center, student engagement
11 hub, or county elections and voter registration office. However, no
12 weapon restricted by this section, whether concealed or openly
13 carried, may be possessed in any ballot counting center or areas of
14 facilities while being used as a ballot counting center.

15 (5) Elections officers and officials must post signs providing
16 notice of the restriction on possession of firearms and other weapons
17 at each counting center, voting center, student engagement hub, or
18 county elections and voter registration office, or areas of
19 facilities while being used as a counting center, a voting center, a
20 student engagement hub, or the county elections and voter
21 registration office.

22 (6) For the purposes of this section:

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

25 (b) "Voting center" means a voting center as described in RCW
26 29A.40.160; and

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

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