

---

**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.

1           (2) For the purposes of this section:

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

12           ~~((3))~~ (b) "Governing body" has the same meaning as in RCW  
13 42.30.020.

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

21           ~~((4))~~ (3) Duly authorized federal, state, or local law  
22 enforcement officers or personnel are exempt from this section when  
23 carrying a firearm or other weapon in conformance with their  
24 employing agency's policy. Members of the armed forces of the United  
25 States or the state of Washington are exempt from this section when  
26 carrying a firearm or other weapon in the discharge of official duty  
27 or traveling to or from official duty.

28           ~~((5))~~ (4) A person violating this section is guilty of a gross  
29 misdemeanor.

30           ~~((6))~~ (5) Nothing in this section applies to the lawful  
31 concealed carry of a firearm by a person who has a valid concealed  
32 pistol license.

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

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

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

3 (a) Any firearm;

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

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

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

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

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

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

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

35 (b) Any security personnel hired by a county and engaged in  
36 security specifically for a counting center, a voting center, a  
37 student engagement hub, or the county elections and voter  
38 registration office or areas of facilities used for such purposes.  
39 However, a person who is not a commissioned law enforcement officer  
40 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.

--- END ---