

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5434

Chapter 189, Laws of 2020

66th Legislature
2020 Regular Session

POSSESSION OF WEAPONS--CHILD CARE

EFFECTIVE DATE: June 11, 2020

Passed by the Senate March 9, 2020
Yeas 27 Nays 21

CYRUS HABIB

President of the Senate

Passed by the House March 3, 2020
Yeas 56 Nays 40

LURIE JINKINS

**Speaker of the House of
Representatives**

Approved March 27, 2020 2:31 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5434** as passed by the Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

Secretary

FILED

March 27, 2020

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5434

AS AMENDED BY THE HOUSE

Passed Legislature - 2020 Regular Session

State of Washington

66th Legislature

2019 Regular Session

By Senate Law & Justice (originally sponsored by Senators Wilson, C., Hunt, Keiser, Kuderer, Nguyen, and Pedersen)

READ FIRST TIME 02/22/19.

1 AN ACT Relating to restricting possession of weapons in certain
2 locations; adding a new section to chapter 9.41 RCW; adding new
3 sections to chapter 43.216 RCW; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 9.41 RCW
6 to read as follows:

7 (1) It is unlawful for a person to carry onto, or to possess on,
8 licensed child care center premises, child care center-provided
9 transportation, or areas of facilities while being used exclusively
10 by a child care center:

11 (a) Any firearm;

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

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

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

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

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

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

21 (a) Family day care provider homes as defined in RCW 43.216.010;

22 (b) Any person in possession of a pistol who has been issued a
23 license under RCW 9.41.070, or is exempt from the licensing
24 requirement by RCW 9.41.060, while picking up or dropping off a child
25 at the child care center;

26 (c) Any person at least eighteen years of age legally in
27 possession of a firearm or dangerous weapon that is secured within an
28 attended vehicle or concealed from view within a locked unattended
29 vehicle while conducting legitimate business at the child care
30 center; or

31 (d) Any law enforcement officer of a federal, state, or local
32 government agency.

33 (4) Child care centers must post "GUN-FREE ZONE" signs giving
34 warning of the prohibition of the possession of firearms on center
35 premises.

36 (5) A child care center that is located on public or private
37 elementary or secondary school premises is subject to the
38 requirements of RCW 9.41.280.

39 (6) For the purposes of this section, child care center has the
40 same meaning as "child day care center" as defined in RCW 43.216.010.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.216
2 RCW to read as follows:

3 (1) Every child day care center and early childhood education and
4 assistance program provider is subject to section 1 of this act.

5 (2)(a) A family day care provider must store any firearm,
6 ammunition, or other dangerous weapon as described in RCW 9.41.250 in
7 a secure area when children for whom the family day care provider is
8 licensed to provide care are present on the premises.

9 (b) The secure area must be inaccessible to children and must
10 consist of a locked gun safe or a locked room. If stored in a locked
11 room, each firearm must be stored unloaded and with a trigger lock or
12 other disabling feature.

13 (3) The department may deny, suspend, revoke, modify or not renew
14 the license of a child care provider in violation of this section.

15 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.216
16 RCW to read as follows:

17 The department must adopt rules to implement sections 1 and 2 of
18 this act.

Passed by the Senate March 9, 2020.

Passed by the House March 3, 2020.

Approved by the Governor March 27, 2020.

Filed in Office of Secretary of State March 27, 2020.

--- END ---