

**E2SSB 5098** - H COMM AMD

By Committee on Civil Rights & Judiciary

1 Strike everything after the enacting clause and insert the  
2 following:

3 **"Sec. 1.** RCW 9.41.300 and 2024 c 285 s 1 are each amended to  
4 read as follows:

5 (1) It is unlawful for any person to enter the following places  
6 when he or she knowingly possesses or knowingly has under his or her  
7 control a weapon:

8 (a) The restricted access areas of a jail, or of a law  
9 enforcement facility, or any place used for the confinement of a  
10 person (i) arrested for, charged with, or convicted of an offense,  
11 (ii) held for extradition or as a material witness, or (iii)  
12 otherwise confined pursuant to an order of a court, except an order  
13 under chapter 13.32A or 13.34 RCW. Restricted access areas do not  
14 include common areas of egress or ingress open to the general public;

15 (b) Those areas in any building which are used in connection with  
16 court proceedings, including courtrooms, jury rooms, judge's  
17 chambers, offices and areas used to conduct court business, waiting  
18 areas, and corridors adjacent to areas used in connection with court  
19 proceedings. The restricted areas do not include common areas of  
20 ingress and egress to the building that is used in connection with  
21 court proceedings, when it is possible to protect court areas without  
22 restricting ingress and egress to the building. The restricted areas  
23 shall be the minimum necessary to fulfill the objective of this  
24 subsection (1) (b).

25 ~~((For purposes of this subsection (1) (b), "weapon" means any  
26 firearm, explosive as defined in RCW 70.74.010, or any weapon of the  
27 kind usually known as slungshot, sand club, or metal knuckles, or any  
28 knife, dagger, dirk, or other similar weapon that is capable of  
29 causing death or bodily injury and is commonly used with the intent  
30 to cause death or bodily injury.))~~

31 In addition, the local legislative authority shall provide either  
32 a stationary locked box sufficient in size for pistols and key to a

1 weapon owner for weapon storage, or shall designate an official to  
2 receive weapons for safekeeping, during the owner's visit to  
3 restricted areas of the building. The locked box or designated  
4 official shall be located within the same building used in connection  
5 with court proceedings. The local legislative authority shall be  
6 liable for any negligence causing damage to or loss of a weapon  
7 either placed in a locked box or left with an official during the  
8 owner's visit to restricted areas of the building.

9 The local judicial authority shall designate and clearly mark  
10 those areas where weapons are prohibited, and shall post notices at  
11 each entrance to the building of the prohibition against weapons in  
12 the restricted areas;

13 (c) The restricted access areas of a public mental health  
14 facility licensed or certified by the department of health for  
15 inpatient hospital care and state institutions for the care of the  
16 mentally ill, excluding those facilities solely for evaluation and  
17 treatment. Restricted access areas do not include common areas of  
18 egress and ingress open to the general public;

19 (d) That portion of an establishment classified by the state  
20 liquor and cannabis board as off-limits to persons under 21 years of  
21 age;

22 (e) The restricted access areas of a commercial service airport  
23 designated in the airport security plan approved by the federal  
24 transportation security administration, including passenger screening  
25 checkpoints at or beyond the point at which a passenger initiates the  
26 screening process. These areas do not include airport drives, general  
27 parking areas and walkways, and shops and areas of the terminal that  
28 are outside the screening checkpoints and that are normally open to  
29 unscreened passengers or visitors to the airport. Any restricted  
30 access area shall be clearly indicated by prominent signs indicating  
31 that firearms and other weapons are prohibited in the area;

32 (f) The premises of a library established or maintained pursuant  
33 to the authority of chapter 27.12 RCW;

34 (g) The premises of a zoo or aquarium accredited or certified by  
35 the association of zoos and aquariums or the zoological association  
36 of America or a facility with a current signed memorandum of  
37 participation with an association of zoos and aquariums species  
38 survival plan; ((~~or~~))

39 (h) The premises of a transit station or transit facility. For  
40 purposes of this subsection, "transit station" and "transit facility"

1 have the same meaning as defined in RCW 9.91.025. "Transit station"  
2 and "transit facility" do not include any "transit vehicle" as that  
3 term is defined in RCW 9.91.025;

4 (i) The premises of a city's, town's, county's, or other  
5 municipality's neighborhood, community, or regional park facilities  
6 where children are likely to be present. Cities, towns, counties, and  
7 other municipalities shall designate the park facilities within its  
8 boundaries where children are likely to be present and post  
9 appropriate signage at common access points of the park facility's  
10 premises to notify the public that weapons are prohibited within the  
11 park facility. Park facilities where children are likely to be  
12 present include, but are not limited to, park facilities that have:  
13 Playgrounds or children's play areas; sports fields; swim beaches or  
14 water play areas; teen centers, community centers, or performing arts  
15 centers; skate parks; and other recreational facilities likely to be  
16 used by children;

17 (j) The premises of a state or local public building. A "state or  
18 local public building" means a building or part of a building owned,  
19 leased, held, or used by the governmental entity of a city, town,  
20 county, or other municipality or by the state of Washington, if state  
21 or local public employees are regularly present for the purposes of  
22 performing their official duties and that is not regularly used, and  
23 not intended to be used, by state or local public employees as a  
24 place of residence. A state or local public building does not include  
25 Washington state department of transportation properties and  
26 facilities such as ferry terminals, ferry holding lanes, safety rest  
27 areas, and train depots which are used primarily by the general  
28 traveling public; in such areas weapons must remain in locked cases  
29 or remain in a locked portion of a vehicle; or

30 (k) The premises of county fairs and county fair facilities  
31 during the hours of operation in which the fair is open to the  
32 public. For the purpose of this subsection, "county fair" means fairs  
33 organized to serve the interests of single counties and are under  
34 county commissioner jurisdiction. This prohibition does not apply to  
35 gun shows operating on county fairgrounds.

36 (2) (a) Except as provided in (c) of this subsection, it is  
37 unlawful for any person to knowingly open carry a firearm or other  
38 weapon while knowingly at any permitted demonstration. This  
39 subsection (2) (a) applies whether the person carries the firearm or  
40 other weapon on his or her person or in a vehicle.

1 (b) It is unlawful for any person to knowingly open carry a  
2 firearm or other weapon while knowingly within 250 feet of the  
3 perimeter of a permitted demonstration after a duly authorized state  
4 or local law enforcement officer advises the person of the permitted  
5 demonstration and directs the person to leave until he or she no  
6 longer possesses or controls the firearm or other weapon. This  
7 subsection (2)(b) does not apply to any person possessing or  
8 controlling any firearm or other weapon on private property owned or  
9 leased by that person.

10 (c) Duly authorized federal, state, and local law enforcement  
11 officers and personnel are exempt from the provisions of this  
12 subsection (2) when carrying a firearm or other weapon in conformance  
13 with their employing agency's policy. Members of the armed forces of  
14 the United States or the state of Washington are exempt from the  
15 provisions of this subsection (2) when carrying a firearm or other  
16 weapon in the discharge of official duty or traveling to or from  
17 official duty.

18 (d) For purposes of this subsection, the following definitions  
19 apply:

20 (i) "Permitted demonstration" means either: (A) A gathering for  
21 which a permit has been issued by a federal agency, state agency, or  
22 local government; or (B) a gathering of 15 or more people who are  
23 assembled for a single event at a public place that has been declared  
24 as permitted by the chief executive, sheriff, or chief of police of a  
25 local government in which the gathering occurs. A "gathering" means a  
26 demonstration, march, rally, vigil, sit-in, protest, picketing, or  
27 similar public assembly.

28 (ii) "Public place" means any site accessible to the general  
29 public for business, entertainment, or another lawful purpose. A  
30 "public place" includes, but is not limited to, the front, immediate  
31 area, or parking lot of any store, shop, restaurant, tavern, shopping  
32 center, or other place of business; any public building, its grounds,  
33 or surrounding area; or any public parking lot, street, right-of-way,  
34 sidewalk, public park, or other public grounds.

35 ~~((iii) "Weapon" has the same meaning given in subsection (1)(b)  
36 of this section.))~~

37 (e) Nothing in this subsection applies to the lawful concealed  
38 carry of a firearm by a person who has a valid concealed pistol  
39 license.

1 (3) Cities, towns, counties, and other municipalities may enact  
2 laws and ordinances:

3 (a) Restricting the discharge of firearms in any portion of their  
4 respective jurisdictions where there is a reasonable likelihood that  
5 humans, domestic animals, or property will be jeopardized. Such laws  
6 and ordinances shall not abridge the right of the individual  
7 guaranteed by Article I, section 24 of the state Constitution to bear  
8 arms in defense of self or others; and

9 (b) Restricting the possession of firearms in any stadium or  
10 convention center, operated by a city, town, county, or other  
11 municipality, except that such restrictions shall not apply to:

12 (i) Any pistol in the possession of a person licensed under RCW  
13 9.41.070 or exempt from the licensing requirement by RCW 9.41.060; or

14 (ii) Any showing, demonstration, or lecture involving the  
15 exhibition of firearms.

16 (4)(a) Cities, towns, and counties may enact ordinances  
17 restricting the areas in their respective jurisdictions in which  
18 firearms may be sold, but, except as provided in (b) of this  
19 subsection, a business selling firearms may not be treated more  
20 restrictively than other businesses located within the same zone. An  
21 ordinance requiring the cessation of business within a zone shall not  
22 have a shorter grandfather period for businesses selling firearms  
23 than for any other businesses within the zone.

24 (b) Cities, towns, and counties may restrict the location of a  
25 business selling firearms to not less than 500 feet from primary or  
26 secondary school grounds, if the business has a storefront, has hours  
27 during which it is open for business, and posts advertisements or  
28 signs observable to passersby that firearms are available for sale. A  
29 business selling firearms that exists as of the date a restriction is  
30 enacted under this subsection (4)(b) shall be grandfathered according  
31 to existing law.

32 (5) Violations of local ordinances adopted under subsection (3)  
33 of this section must have the same penalty as provided for by state  
34 law.

35 (6) ((The)) As soon as practicable, the perimeter of the premises  
36 of any specific location covered by subsection (1) of this section  
37 shall be posted at ((reasonable intervals)) common public access  
38 points to alert the public as to the existence of any law restricting  
39 the possession of firearms on the premises.

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

1 (a) A person engaged in military activities sponsored by the  
2 federal or state governments, while engaged in official duties;

3 (b) Law enforcement personnel, except that subsection (1)(b) of  
4 this section does apply to a law enforcement officer who is present  
5 at a courthouse building as a party to an antiharassment protection  
6 order action or a domestic violence protection order action under  
7 chapter 7.105 or 10.99 RCW, or an action under Title 26 RCW where any  
8 party has alleged the existence of domestic violence as defined in  
9 RCW 7.105.010; (~~⊖~~)

10 (c) Security personnel while engaged in official duties (~~(-~~  
11 ~~(8) Subsection (1)(a), (b), (c), (e), (f), (g), and (h) of this~~  
12 ~~section does not apply to correctional)~~); or

13 (d) Correctional personnel or community corrections officers, as  
14 long as they are employed as such, who have completed government-  
15 sponsored law enforcement firearms training, except that subsection  
16 (1)(b) of this section does apply to a correctional employee or  
17 community corrections officer who is present at a courthouse building  
18 as a party to an antiharassment protection order action or a domestic  
19 violence protection order action under chapter 7.105 or 10.99 RCW, or  
20 an action under Title 26 RCW where any party has alleged the  
21 existence of domestic violence as defined in RCW 7.105.010.

22 ~~((+9))~~ (8) Subsection (1) of this section does not apply to  
23 firearms either on loan or that are part of a museum collection that  
24 may be in the possession of museum staff, volunteers, or contractors  
25 when they are on the premises and engaging in activities directly  
26 related to their official museum duties. This includes, but is not  
27 limited to, work in support of or related to exhibitions, curation,  
28 collections management, educational programming, or other standard  
29 practices expected within the museum industry. Additionally,  
30 subsection (1) of this section does not apply to individuals bringing  
31 a firearm at a preapproved date and time to a museum for loan or  
32 donation to the museum.

33 (9) Subsection (1)(a) of this section does not apply to a person  
34 licensed pursuant to RCW 9.41.070 who, upon entering the place or  
35 facility, directly and promptly proceeds to the administrator of the  
36 facility or the administrator's designee and obtains written  
37 permission to possess the firearm while on the premises or checks his  
38 or her firearm. The person may reclaim the firearms upon leaving but  
39 must immediately and directly depart from the place or facility.

1 (10) Subsection (1)(c) of this section does not apply to any  
2 administrator or employee of the facility or to any person who, upon  
3 entering the place or facility, directly and promptly proceeds to the  
4 administrator of the facility or the administrator's designee and  
5 obtains written permission to possess the firearm while on the  
6 premises.

7 (11) Subsection (1)(d) of this section does not apply to the  
8 proprietor of the premises or his or her employees while engaged in  
9 their employment.

10 (12) Subsection (1)(g) of this section does not apply to  
11 employees of a zoo, aquarium, or animal sanctuary, while engaged in  
12 their employment if the weapon is owned by the zoo, aquarium, or  
13 animal sanctuary and maintained for the purpose of protecting its  
14 employees, animals, or the visiting public.

15 (13) Subsection (1)(f), (g), ~~((and))~~ (h), (i), (j), and (k) of  
16 this section does not apply to the activities of color guards and  
17 honor guards affiliated with the United States military, Washington  
18 state national guard, or Washington department of veterans' affairs  
19 related to burial or interment ceremonies including, but not limited  
20 to, any staging and logistical requirements of the color guard or  
21 honor guard.

22 (14) Subsection (1)(i), (j), and (k) of this section does not  
23 apply to the activities of color guards and honor guards affiliated  
24 with the United States military, Washington state national guard, or  
25 Washington department of veterans affairs related to permitted events  
26 where military rifle honors are customarily conducted, including but  
27 not limited to permitted events for Memorial Day, Veterans Day,  
28 Independence Day, Juneteenth, and Presidents' Day. This exemption  
29 also applies to any staging and logistical requirements of the color  
30 guard or honor guard.

31 (15) Subsection (1)(i), (j), and (k) of this section does not  
32 apply to any firing range certified by the Washington state patrol  
33 for firearms safety training and live fire exercises for the purpose  
34 of completing a firearm safety training program to obtain a permit to  
35 purchase a firearm pursuant to chapter . . ., Laws of 2025 (Engrossed  
36 Second Substitute House Bill No. 1163).

37 (16) Subsection (1)(f), (g), ~~((and))~~ (h), (i), (j), and (k) of  
38 this section does not apply to a person licensed to carry a concealed  
39 firearm pursuant to RCW 9.41.070.

1        ~~((15))~~ (17) Government-sponsored law enforcement firearms  
2 training must be training that correctional personnel and community  
3 corrections officers receive as part of their job requirement and  
4 reference to such training does not constitute a mandate that it be  
5 provided by the correctional facility.

6        ~~((16))~~ (18) Any person violating subsection (1) or (2) of this  
7 section is guilty of a gross misdemeanor.

8        ~~((17))~~ (19) "Weapon" as used in this section means ~~((any~~  
9 ~~firearm, explosive as defined in RCW 70.74.010, or instrument or~~  
10 ~~weapon listed in RCW 9.41.250))~~ any firearm, explosive as defined in  
11 RCW 70.74.010, or any instrument of the kind usually known as  
12 slungshot, sand club, or metal knuckles, or any knife, dagger, dirk,  
13 or other similar instrument that is capable of causing death or  
14 bodily injury and is commonly used with the intent to cause death or  
15 bodily injury."

16        Correct the title.

EFFECT: Modifies wording to preserve internal consistency by replacing "park facilities at which children are likely to be present" with "park facilities where children are likely to be present," and by removing references to "youth" from this defined term. Removes duplicative definition of "park facilities where children and youth are likely to be present" and extraneous definition of "places of amusement."

Provides the bill's restrictions on weapons in parks, public buildings, and county fairs do not apply to firing ranges certified by the Washington State Patrol for firearms safety training and live fire exercises for the purpose of completing a firearm safety training program to obtain a permit to purchase a firearm pursuant to House Bill 1163 (2025).

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