

ESSB 5891 - H COMM AMD

By Committee on Community Safety, Justice, & Reentry

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

3 "NEW SECTION. **Sec. 1.** This act may be known and cited as the
4 Richard Lenhart act.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 9A.52
6 RCW to read as follows:

7 (1) A person is guilty of school bus trespass if he or she
8 knowingly and maliciously:

9 (a) Enters or remains unlawfully in a school bus;

10 (b) Does any other act that creates a substantial risk of harm to
11 passengers or the driver; and

12 (c) Causes a substantial interruption or impairment to services
13 rendered by the school bus.

14 (2) As used in this section, "school bus" means any vehicle
15 owned, leased, or operated by a public school district, a religious
16 or private school, a private entity contracted with a school
17 district, or educational institution for the purpose of transporting
18 students to and from school or school-related activities.

19 (3) School bus trespass is a gross misdemeanor.

20 (4) Subsection (1) of this section shall not apply to any of the
21 following:

22 (a) Students enrolled in the school which is being serviced by
23 the school bus;

24 (b) Law enforcement officers or other authorized personnel
25 engaged in the performance of their official duties;

26 (c) Individuals with written consent from the school district or
27 educational institution allowing them to enter or remain on the
28 school bus; and

29 (d) Emergency situations where entering the bus is necessary to
30 protect the safety or well-being of students or others.

1 (5) Local law enforcement agencies shall have the authority to
2 enforce the provisions of this act. School districts and educational
3 institutions shall collaborate with local law enforcement to
4 establish protocols and procedures to ensure effective enforcement of
5 this act.

6 (6) School districts and educational institutions shall implement
7 educational programs and awareness campaigns to educate students,
8 parents, and the community about the importance of maintaining safety
9 and security on school buses. These educational programs shall
10 emphasize the potential consequences of school bus trespassing in
11 accordance with this act.

12 (7) Subject to the availability of funds appropriated for this
13 specific purpose, school districts and educational institutions shall
14 affix placards warning of the consequences of violating subsection
15 (1) of this section on the outside of all public school buses in a
16 manner easily visible for all to see.

17 NEW SECTION. **Sec. 3.** If any provision of this act or its
18 application to any person or circumstance is held invalid, the
19 remainder of the act or the application of the provision to other
20 persons or circumstances is not affected."

21 Correct the title.

EFFECT: Makes school bus trespass a gross misdemeanor instead of
a class C felony and removes the seriousness level for the offense.

Provides that the offense of school bus trespass does not apply
to any students enrolled in the school being serviced by the school
bus.

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