

# SENATE BILL REPORT

## SB 5344

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As of January 28, 2005

**Title:** An act relating to possession of firearms on the state capitol campus.

**Brief Description:** Regulating possession of firearms on the state capitol campus.

**Sponsors:** Senators Fairley, Kohl-Welles, Prentice, Kline, Berkey, Haugen, Rasmussen, McAuliffe, Regala, Keiser, Spanel, Thibaudeau and Fraser.

**Brief History:**

**Committee Activity:** Judiciary: 1/25/05.

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### SENATE COMMITTEE ON JUDICIARY

**Staff:** Aldo Melchiori (786-7439)

**Background:** Weapons, including firearms, are prohibited statewide in certain designated places such as: the restricted access areas of a jail or law enforcement facility; courtrooms and other areas adjacent to or used in conjunction with court proceedings; the restricted access areas of a public mental health facility; and taverns and other places that are made off-limits to persons under age 21 by liquor control board rules.

Additional rules apply to the prohibition of weapons in court facilities. A local jurisdiction with a court facility is required to provide storage for weapons at court facilities. A locked box must be provided, or an official must be designated, so that a person entering the court facility may check his or her weapon. The local jurisdiction is liable for the loss of or damage to a weapon left in a locked box or with an official. Local jurisdictions must also post restricted areas of the court facility with notice that weapons are prohibited.

Various "dangerous" weapons, as well as firearms, are generally prohibited on school facilities. In addition, local jurisdictions are authorized to prohibit firearms in a stadium or convention center.

It is a gross misdemeanor to possess a weapon in any of these places. Law enforcement personnel are exempt from all of the prohibitions. Military or security personnel are also exempt from all of the prohibitions, but only while engaged in official duties.

**Summary of Bill:** Weapons are prohibited in the legislative building on the state capitol campus. The state patrol must provide locked boxes or a designated official to receive weapons of persons wishing to enter the building. The state patrol is liable for any negligence resulting in loss or damage to a weapon while the owner is in the building. The state patrol is also required to post the legislative building with notices indicating that weapons are prohibited. The prohibition is subject to the existing exceptions for law enforcement, military and security personnel.

**Appropriation:** None.

**Fiscal Note:** Requested January 25, 2005.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** There is no need for citizens to carry firearms in the legislative building. Emotions can run high during consideration of legislation and that is a bad mix with firearms. There have been recent credible threats in the legislative building. This would protect legislators, staff, the general public, and the children who visit the building during session. Since screening began this fall, security has detected 26 firearms, 21 firearm cartridges, 20 knives, and a sledge hammer.

**Testimony Against:** There is no demonstrated need to restrict the right of concealed pistol license holders to carry their firearms. The legislative building is not an effectively secured building anyway. Accidents happen when firearms are handled and this requires people to handle their firearms in a public setting. Gun owners are not common criminals. People can be killed because they did not have their firearm with them when they needed it.

**Who Testified:** PRO: Senator Fairley, prime sponsor; Senator Spanel; Dan Ekum, GA; Lendyle Miller, GA.

CON: Harold Priest; Stu Halsan, Olympic Arms; Joe Waldron, CCRKBA, WAC, WSR&PD, GOAL; Brian Judy, NRA.