

# HOUSE BILL REPORT

## SHB 1202

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*As of House Second Reading  
March 8, 1991*

**Title:** An act relating to firearms in state capitol buildings.

**Brief Description:** Prohibiting firearms in state capitol buildings.

**Sponsor(s):** By House Committee on Judiciary (originally sponsored by Representatives Riley, Ludwig, Winsley, Forner, Bray, Wood, Jones, R. Johnson, Jacobsen, Scott, Neher, Schmidt, Sheldon, Phillips, Orr, Basich, Leonard and Anderson; by request of Washington State Patrol).

**Brief History:**

Reported by House Committee on:  
Judiciary, February 8, 1991, DPS;  
Second Reading, March 8, 1991.

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**HOUSE COMMITTEE ON  
JUDICIARY**

**Majority Report:** *That Substitute House Bill No. 1202 be substituted therefor, and the substitute bill do pass.* Signed by 13 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Inslee; Locke; R. Meyers; H. Myers; Riley; Scott; and Wineberry.

**Minority Report:** *Do not pass.* Signed by 6 members: Representatives Padden, Ranking Minority Member; Hargrove; Mielke; D. Sommers; Tate; and Vance.

**Staff:** Bill Perry (786-7123).

**Background:** State law prohibits possession of firearms in certain places. Restricted areas include: certain portions of jails; courtrooms and judges' chambers when they are being used for judicial proceedings; certain areas of public mental health facilities; and portions of liquor-selling establishments that are off-limits to persons under the age of 21. In addition, local jurisdictions may identify by ordinance certain other locations where firearms are prohibited. This local option extends to municipally operated stadiums and convention centers.

Various exceptions are provided to these prohibitions. For instance, a person with a valid concealed pistol permit may carry a pistol into a restricted area of a jail if the person has notified the jail administrator and gotten written permission to carry the pistol.

An administrative regulation generally prohibits all dangerous weapons, including firearms, from the entire capitol campus. This administrative rule has no criminal penalties and lacks explicit statutory underpinning.

**Summary of Bill:** Firearms are generally banned in certain buildings on the west state capitol campus. Buildings covered by the ban are: the Legislative Building; the John L. O'Brien Building; the John A. Cherberg Building; the Temple of Justice; the General Administration Building; the Governor's Mansion; the Insurance Building; the State Library; the Institutions Building; and the Public Information Building.

The State Patrol is to post all affected buildings with a notice explaining who may and who may not carry a firearm into the building.

Exceptions to the prohibition are provided for law enforcement personnel, for persons with concealed pistol permits who notify the State Patrol, and for persons possessing firearms for exhibition purposes.

A violation of the prohibition is a misdemeanor.

**Fiscal Note:** Not requested.

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

**Testimony For:** A significant number of dangerous incidents occur in and around the Legislative Building each year. The current administrative rule lacks sufficient deterrent to control these situations.

**Testimony Against:** There are some places, such as jails, courtrooms, and mental hospitals where these kinds of restrictions make sense, but the capitol campus is not one of them. There has been no demonstrated need for this bill.

**Witnesses:** Rick Jensen, Washington State Patrol (in favor); and John Hosford, Citizens Committee to Protect the Right to Keep and Bear Arms (opposes).