

2 EHB 1408 - S AMD
3 By Committee on Law & Justice

4 ADOPTED 3/4/98

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 9.41.050 and 1997 c 200 s 1 are each amended to read
8 as follows:

9 (1)(a) Except in the person's place of abode or fixed place of
10 business, a person shall not carry a pistol concealed on his or her
11 person without a license to carry a concealed pistol issued under RCW
12 9.41.070, unless the person holds a valid permit or license issued by
13 a state or local agency in another state authorizing the person to
14 carry a concealed firearm.

15 (b) Every licensee shall have his or her concealed pistol license
16 in his or her immediate possession at all times that he or she is
17 required by this section to have a concealed pistol license and shall
18 display the same upon demand to any police officer or to any other
19 person when and if required by law to do so. Any violation of this
20 subsection (1)(b) shall be a class 1 civil infraction under chapter
21 7.80 RCW and shall be punished accordingly pursuant to chapter 7.80 RCW
22 and the infraction rules for courts of limited jurisdiction. This
23 subsection applies also to a concealed pistol license issued in another
24 state.

25 (2) A person shall not carry or place a loaded pistol in any
26 vehicle unless the person has a license to carry a concealed pistol
27 and: (a) The pistol is on the licensee's person, (b) the licensee is
28 within the vehicle at all times that the pistol is there, or (c) the
29 licensee is away from the vehicle and the pistol is locked within the
30 vehicle and concealed from view from outside the vehicle.

31 (3) A person at least eighteen years of age who is in possession of
32 an unloaded pistol shall not leave the unloaded pistol in a vehicle
33 unless the unloaded pistol is locked within the vehicle and concealed
34 from view from outside the vehicle.

35 (4) Violation of any of the prohibitions of subsections (2) and (3)
36 of this section is a misdemeanor.

1 (5) Nothing in this section permits the possession of firearms
2 illegal to possess under state or federal law.

3 **Sec. 2.** RCW 9.41.060 and 1996 c 295 s 5 are each amended to read
4 as follows:

5 The provisions of RCW 9.41.050 shall not apply to:

6 (1) Marshals, sheriffs, prison or jail wardens or their deputies,
7 or other law enforcement officers of this state or another state;

8 (2) Members of the armed forces of the United States or of the
9 national guard or organized reserves, when on duty;

10 (3) Officers or employees of the United States duly authorized to
11 carry a concealed pistol;

12 (4) Any person engaged in the business of manufacturing, repairing,
13 or dealing in firearms, or the agent or representative of the person,
14 if possessing, using, or carrying a pistol in the usual or ordinary
15 course of the business;

16 (5) Regularly enrolled members of any organization duly authorized
17 to purchase or receive pistols from the United States or from this
18 state;

19 (6) Regularly enrolled members of clubs organized for the purpose
20 of target shooting, when those members are at or are going to or from
21 their places of target practice;

22 (7) Regularly enrolled members of clubs organized for the purpose
23 of modern and antique firearm collecting, when those members are at or
24 are going to or from their collector's gun shows and exhibits;

25 (8) Any person engaging in a lawful outdoor recreational activity
26 such as hunting, fishing, camping, hiking, or horseback riding, only
27 if, considering all of the attendant circumstances, including but not
28 limited to whether the person has a valid hunting or fishing license,
29 it is reasonable to conclude that the person is participating in lawful
30 outdoor activities or is traveling to or from a legitimate outdoor
31 recreation area;

32 (9) Any person while carrying a pistol unloaded and in a closed
33 opaque case or secure wrapper; or

34 (10) Law enforcement officers retired for service or physical
35 disabilities, except for those law enforcement officers retired because
36 of mental or stress-related disabilities. This subsection applies only
37 to a retired officer who has: (a) Obtained documentation from a law
38 enforcement agency within Washington state from which he or she retired

1 that is signed by the agency's chief law enforcement officer and that
2 states that the retired officer was retired for service or physical
3 disability; and (b) not been convicted of a crime making him or her
4 ineligible for a concealed pistol license."

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8 In line 2 of the title, after "state;" strike the remainder of the
9 title and insert "and amending RCW 9.41.050 and 9.41.060."

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