

FINAL BILL REPORT

EHB 1408

PARTIAL VETO

C 253 L 98

Synopsis as Enacted

Brief Description: Authorizing carrying of concealed pistols by certain persons from out of state.

Sponsors: By House Committee on Law & Justice (originally sponsored by Representatives Mielke, Sheahan, Doumit, Pennington, Mulliken, Sterk, Thompson, Dunn and Sullivan).

House Committee on Law & Justice
Senate Committee on Law & Justice

Background: Persons are generally prohibited from carrying a concealed pistol in Washington without a license to do so. Except for in a person's home or place of business, a concealed pistol license (CPL) is required before a person may legally carry a concealed pistol, and the person must also carry the CPL while carrying the pistol.

Eligibility for a Washington State CPL. A person may apply to the city or county of his or her residence for a CPL. Certain qualifications must be met before a person may be issued a CPL. A person who applies for a concealed pistol license must

- be eligible to possess a firearm;
- be 21 or older;
- not be subject to an injunction regarding firearms;
- not be pending trial, appeal, or sentencing for a felony offense;
- not be subject to an outstanding arrest warrant for any crime; and
- not have been within the past year ordered to forfeit a firearm for possessing a concealed firearm while intoxicated in a place where a concealed pistol license is required.

A person is not eligible to possess a firearm, and therefore is not eligible for a CPL, if he or she has been convicted of any felony or convicted of certain misdemeanors committed against a family or household member, or if he or she has been involuntarily committed for mental health reasons. Restoration of rights is available under some circumstances and after varying periods of time for some of these disqualifying conditions.

Background Checks. To get or renew a Washington State CPL, a person must pay a fee and undergo a state and federal criminal history background check, including fingerprinting, in order to be determined eligible.

Privileges of Washington State CPL Ownership. In addition to authorizing a person to carry a pistol concealed on his or her person, a CPL also affords other privileges. Possession of a valid CPL exempts a person from an otherwise applicable five-day waiting period for the purchase of a pistol. Washington State's requirements for a CPL qualify possessors of CPLs for this exemption under the federal "Brady Law."

Exemptions from Requirement for a Washington State CPL. Several exemptions are provided from the requirement for a CPL in order to carry a concealed pistol. Marshals, sheriffs, prison or jail wardens or their deputies, or other law enforcement officers are exempted. Also exempted are federal officers and military members, persons engaged in various firearms manufacturing or dealing jobs, and persons engaged in various activities such as sport shooting, gun collecting, or outdoor recreation.

Summary: A valid CPL issued in another state exempts a person from the requirement of having a Washington State CPL in order to conceal a pistol on his or her person. A person with an out-of-state CPL must carry the CPL with him or her when carrying a concealed pistol. Marshals, sheriffs, prison or jail wardens or their deputies, or other law enforcement officers from other states are given the same exemption from the requirement for having a Washington State CPL.

Votes on Final Passage:

House 74 24
Senate 36 12 (Senate amended)
House 73 23 (House concurred)

Effective: June 11, 1998

Partial Veto Summary: The Governor vetoed the portion of the bill that allows a person with a permit from another states to carry a concealed pistol in Washington. The portion of the bill dealing with law enforcement officers from other states was not vetoed.