

SENATE BILL REPORT

EHB 1408

As Reported By Senate Committee On:
Law & Justice, February 24, 1998

Title: An act relating to the carrying of a concealed pistol by persons from another state.

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

Sponsors: Representatives Mielke, Sheahan, Doumit, Pennington, Mulliken, Sterk, Thompson, Dunn and Sullivan.

Brief History:

Committee Activity: Law & Justice: 3/27/97; 2/19/98, 2/24/98 [DPA, DNPA].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass as amended.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Goings, Long, McCaslin, Stevens and Zarelli.

Minority Report: Do not pass as amended.

Signed by Senators Fairley, Kline and Thibaudeau.

Staff: David Johnson (786-7754)

Background: Persons are generally prohibited from carrying a concealed pistol without a license to do so. Except 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.

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.

Several exemptions from the requirement for a CPL exist. Marshals, sheriffs, prison or jail wardens or their deputies, or other law enforcement officers are exempted. Also exempted are federal officers and members of the military while on duty, 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 of Amended Bill: A valid CPL issued in another state exempts a person from the requirement of a Washington 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 a Washington CPL as comparable officers in this state.

Amended Bill Compared to Original Bill: The amendment updates text with 1997 code changes.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The right to bear arms and protect oneself should not be subject to state borders. People with CPLs from other states should not be subject to prosecution for coming into this state. The bill will facilitate cooperation with out-of-state law enforcement officers.

Testimony Against: None.

Testified: Joe Waldron, Gun Owners Action League (pro); John Horahan, citizen (pro); Capt. Marsh Pugh, WSP (pro); Charles Long, citizen (pro).