

SENATE BILL REPORT

SB 5477

As Reported By Senate Committee On:
Law & Justice, February 25, 1997

Title: An act relating to permanent concealed pistol licenses.

Brief Description: Regulating the permanence of concealed pistol licenses.

Sponsors: Senators Benton, Hargrove, Zarelli, Hochstatter, Stevens, Schow and Swecker.

Brief History:

Committee Activity: Law & Justice: 2/24/97, 2/25/97 [DP-WM, DNP].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass and be referred to Committee on Ways & Means.
Signed by Senators Roach, Chair; Hargrove, Long, McCaslin, Stevens and Zarelli.

Minority Report: Do not pass.
Signed by Senators Fairley and Kline.

Staff: Mal Murphy (786-7412)

Background: With certain exceptions, a license is required to carry a pistol concealed on one's person. No license is required in a person's home or place of business. Additional exceptions are provided for law enforcement and military personnel and for persons traveling to or from or engaging in activities such as target shooting, hunting, fishing, camping, hiking, or horseback riding.

Concealed pistol licenses (CPLs) are issued by local law enforcement agencies, and are valid for five years. Only persons 21 years of age or older and not otherwise disqualified from possessing a firearm may apply for a license. Issuing authorities are to check with various state and federal sources to determine an applicant's eligibility for a CPL. The state Department of Licensing maintains records of all CPLs issued in the state.

Under the federal "Brady Law" states may be exempt from an otherwise required five-day waiting period for the purchase of a pistol. One of the ways to gain such an exemption is to allow a prospective purchaser to have a license for which adequate eligibility criteria are in place and for which an adequate background check has been done. Washington CPL law satisfies the federal requirement in these respects, and thus a resident of this state need not wait five days to purchase a pistol. One of the requirements of the federal law is that eligibility for a license be reestablished at least every five years.

Summary of Bill: State CPLs are made "permanent" for purposes of the right to carry a concealed pistol under Washington law. However, "renewals" are allowed for purposes of qualifying for waivers of the five-day waiting period under federal law.

Once a person acquires a CPL, the license is permanent for as long as the person remains eligible to possess a firearm or to be issued a CPL. A permanent license that is more than five years old does not allow a person to purchase a pistol. At any time a person may "renew" a permanent license in order to take delivery of a pistol without having to wait five days.

The fee for a permanent license is \$36. The fee for a renewal is \$32. The distribution of the money from these fees is not altered. The \$10 late renewal fee is eliminated, as are the \$7 and \$3 distributions to the issuing authority and the state wildlife fund, respectively.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: People shouldn't be asked to renew a license every five years to do something the Constitution already allows. The current system is just a way to extract more fees from law abiding citizens. This would eliminate an unnecessary administrative burden.

Testimony Against: The current system could be improved, but there is no need to make the license permanent. We need to first improve notification by courts and Department of Licensing when a license is revoked.

Testified: Senator Benton, prime sponsor (pro); Joe Waldron, WA Arms Collectors (pro); Bruce Gryiewski, Ceasefire (con); Bob McBride, Kittitas County Sheriff (con).