
HOUSE BILL 2077

State of Washington

58th Legislature

2003 Regular Session

By Representatives Kristiansen, Lovick, Benson, Armstrong, Sump, Ahern, Condotta, Hatfield, Sullivan, Pearson, Holmquist, McMahan, Mielke, Kirby, Schoesler, Newhouse, Ericksen, Skinner, Chandler, Blake, Bush, Conway, Carrell, Campbell and Schindler

Read first time 02/24/2003. Referred to Committee on Judiciary.

1 AN ACT Relating to recognition of concealed pistol permits from
2 other states; and amending RCW 9.41.050.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 9.41.050 and 1997 c 200 s 1 are each amended to read
5 as follows:

6 (1)(a) Except in the person's place of abode or fixed place of
7 business, a person shall not carry a pistol concealed on his or her
8 person without a license to carry a concealed pistol.

9 (b) Every licensee shall have his or her concealed pistol license
10 in his or her immediate possession at all times that he or she is
11 required by this section to have a concealed pistol license and shall
12 display the same upon demand to any police officer or to any other
13 person when and if required by law to do so. Any violation of this
14 subsection (1)(b) shall be a class 1 civil infraction under chapter
15 7.80 RCW and shall be punished accordingly pursuant to chapter 7.80 RCW
16 and the infraction rules for courts of limited jurisdiction.

17 (2) A person shall not carry or place a loaded pistol in any
18 vehicle unless the person has a license to carry a concealed pistol
19 and: (a) The pistol is on the licensee's person, (b) the licensee is

1 within the vehicle at all times that the pistol is there, or (c) the
2 licensee is away from the vehicle and the pistol is locked within the
3 vehicle and concealed from view from outside the vehicle.

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

8 (4) Violation of any of the prohibitions of subsection ~~((s))~~ (1)(a),
9 (2) ((and)), or (3) of this section is a misdemeanor.

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

12 (6) For purposes of this section, a concealed pistol license means
13 either a license issued under RCW 9.41.070 or a license issued by
14 another jurisdiction outside of this state but within the United
15 States. A license from another jurisdiction is valid for purposes of
16 this section only if:

17 (a) The license is currently valid in that jurisdiction; and

18 (b) The jurisdiction appears on a registry maintained by the
19 department of licensing as a jurisdiction that the Washington state
20 patrol has determined:

21 (i) Has eligibility criteria for the issuance of a concealed pistol
22 license that are at least as restrictive as those in RCW 9.41.070;

23 (ii) Has administrative procedures and practices for determining
24 eligibility of applicants that are at least as comprehensive and
25 accurate as those used in this state; and

26 (iii) Recognizes Washington state concealed pistol licenses as
27 valid in that jurisdiction or will recognize Washington licenses upon
28 the inclusion of the jurisdiction in the registry maintained by the
29 department of licensing under this subsection.

30 (7) It is not necessary for the prosecution to plead or prove the
31 nonexistence of a license from a jurisdiction outside this state in
32 order to prove a charge of a violation of subsection (1)(a) or (2) of
33 this section. It is an affirmative defense to a charge that the
34 defendant lacked a license, which the defendant must prove by a
35 preponderance of the evidence, that at the time of the alleged
36 violation the defendant was the holder of a license from a jurisdiction
37 outside the state and the license was valid under subsection (6) of
38 this section.

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