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**Natural Resources, Ecology &  
Parks Committee**

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**HB 1213**

**Brief Description:** Concerning hunting safety for children.

**Sponsors:** Representatives Clements, Upthegrove, Eickmeyer, Buck, Armstrong and Ormsby.

**Brief Summary of Bill**

- Establishes 10-years of age as the minimum age required in order to both enroll in a department-recognized hunter education training program and to apply for either a big or small game hunting license.
- Amends the exemption to the crime of unlawful possession of a firearm that allows minors to be in possession of a firearm as long as they have a hunting license so that hunters aged 14-years old or younger must be within the unassisted hearing distance of a parent, guardian, or other approved adult for the exemption to apply.

**Hearing Date:** 2/3/05

**Staff:** Jason Callahan (786-7117).

**Background:**

Hunting licenses

A recreational license issued by the director of the Department of Fish and Wildlife (department) is required for any person seeking to hunt recreationally for wild animals in Washington (RCW 77.32.010). There is no minimum age requirement that must be satisfied in order to apply for a hunting license.

Hunter education

Prior to being issued a hunting license, individuals born after January 1, 1972 must present the director of the department with a certification proving that the individual has completed a ten-hour course in the safe handling of firearms, safety, conservation, and sportsmanship (RCW 77.32.155).

The director of the department is authorized to establish a training program, including the prescription of the type of instruction that must be provided, along with the qualification

requirements for the instructors (RCW 77.32.155). The director of the department is also authorized to accept certificates from other states with similar course requirements.

Hunter education courses focuses on three broad areas: firearms and outdoor safety, wildlife management, and hunter responsibility. Average classes involve four to six sessions and require the student to pass a written test and demonstrate firearms handling skills. The department offers both a live course option and a home study option. Live courses are scheduled throughout the state.

#### Exemptions from the unlawful possession of a firearm crime

The unlawful possession of a firearm in the second degree is a criminal violation in Washington that is punishable as a felony (RCW 9.41.040). There are a number of actions that can lead to a conviction under this crime, such as possessing a firearm after being convicted of certain other crimes, having been involuntarily committed for mental health treatment, or being free on bail pending trial. A person can also be prosecuted for the unlawful possession of a firearm in the second degree if the person possesses a firearm and is under the age of 18.

There are, however, instances where a person under the age of 18 can be in possession of a firearm without committing the crime of unlawful possession of a firearm (RCW 9.41.042). These include when the minor is on his or her own property, target shooting at an established range, or engaging in an organized competition. Minors of any age are also permitted to carry a firearm when they are hunting or in attendance at a hunter's safety course. Minors aged 14 or older may lawfully possess a firearm if they are in possession of a hunter safety certificate, in an area where discharging a firearm is lawful, and under supervision of an approved adult.

#### **Summary of Bill:**

The minimum age requirement necessary in order to both enroll in a department-recognized hunter education training program and to apply for either a big or small game hunting license is 10-years or age. There is no minimum age requirement to enroll in a firearms safety instruction course.

Hunters aged 14-years old or younger must be within the unassisted hearing distance of a parent, guardian, or other approved adult in order to qualify for the exemption to the crime of unlawful possession of a firearm that allows minors to be in possession of a firearm as long as they have a hunting license.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.