

SENATE BILL REPORT

SB 5574

As Reported By Senate Committee On:
Judiciary, March 2, 2005

Title: An act relating to the sale and use of projectile stun guns.

Brief Description: Regulating stun guns.

Sponsors: Senators Kline, Roach, Regala, Stevens, Rasmussen, Delvin, McCaslin, Prentice, Weinstein, Kastama and Kohl-Welles.

Brief History:

Committee Activity: Judiciary: 2/10/05, 3/2/05 [DPS].

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Bill No. 5574 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kline, Chair; Weinstein, Vice Chair; Johnson, Ranking Minority Member; Carrell, Esser, Hargrove, McCaslin, Rasmussen and Thibaudeau.

Staff: Aldo Melchiori (786-7439)

Background: A projectile stun gun shoots two to four small darts that remain attached to the "gun" by thin insulated wires. When the darts hit the target, an electrical circuit is completed and current is sent through the wires. The current can arc through up to two inches of clothing. The intent is to cause temporary loss of muscular control by using high voltage and low amperage. These devices can have an effective maximum range 20 to 31 feet.

Seven states (Hawaii, Massachusetts, Michigan, New Jersey, New York, Rhode Island, and Wisconsin) restrict stun guns. Thirteen countries also restrict their possession. They are not currently regulated in Washington.

Summary of Substitute Bill: A projectile stun gun study committee is created to review the sale and use of projectile stun guns in Washington. The committee is composed of two Senators, two Representatives, a police chief, an elected sheriff, a representative from the association of Washington cities, a representative from the Washington state association of counties, and a representative from the department of health. The committee evaluates the public safety issues created by projectile stun guns and makes recommendations regarding whether they should be regulated. The committee report is delivered to the legislature no later than December 31, 2005.

Substitute Bill Compared to Original Bill: The original language is completely replaced. A projectile stun gun study committee is created to review the sale and use of projectile stun guns in Washington.

Appropriation: None.

Fiscal Note: Requested on February 4, 2005.

Committee/Commission/Task Force Created: Yes.

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

Testimony For: Projectile stun guns were designed for use by law enforcement, but other people are gaining access to these weapons and using them for other purposes. The stun gun industry is interested in regulation at the state level. State level regulation is most appropriate because these weapons are easily transported between jurisdictions.

Testimony Against: Local governments should not be preempted if they want to enact more restrictive laws.

Who Testified: PRO: Senator Kline, prime sponsor; Tim Schellberg, Smith, Alling, Lane.

CON: Tammy Fellin, AWC.