
ENGROSSED SUBSTITUTE HOUSE BILL 1508

State of Washington

62nd Legislature

2012 Regular Session

By House Judiciary (originally sponsored by Representatives Takko, Probst, and Van De Wege)

READ FIRST TIME 01/31/12.

1 AN ACT Relating to protecting sport shooting ranges; adding a new
2 section to chapter 9.41 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that sport shooting
5 ranges in this state offer valuable hunter and firearm safety training,
6 offer legitimate and important forms of recreation to the general
7 public, and provide the opportunity for many law enforcement agencies
8 to maintain necessary firearms skills efficiently and at little or no
9 cost. The continued existence and viability of sport shooting ranges
10 is impacted by burdensome retroactive regulation and lawsuits, thereby
11 potentially threatening the availability of low-cost firearms training
12 to some local law enforcement agencies, as well as hunter and firearms
13 safety training and recreation to the general public.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.41 RCW
15 to read as follows:

16 (1)(a) Notwithstanding any other provision of law, a person who
17 owns or operates a sport shooting range in this state shall not be
18 subject to civil liability or criminal prosecution for a violation of

1 a law or ordinance relating to noise or noise pollution resulting from
2 the operation or use of the range if the range is in compliance with
3 all state and local government noise control laws or ordinances that
4 applied to the range and its operation on the date of initial operation
5 of the range, or on January 1, 1980, whichever date is later.

6 (b) A sport shooting range must be classified as a conforming use
7 if it operates in compliance with all state and local government noise
8 control laws or ordinances that were applicable to the range and its
9 operation on the date of initial operation of the range, or on January
10 1, 1980, whichever date is later.

11 (2)(a) A person who owns or operates a sport shooting range is not
12 subject to an action for nuisance on the basis of noise or noise
13 pollution, and a court of the state shall not enjoin the use or
14 operation of a range on the basis of noise or noise pollution, if: (i)
15 The range is in compliance with all state or local government noise
16 control laws or ordinances that applied to the range and its operation
17 on the date of initial operation of the range, or on January 1, 1980,
18 whichever date is later; and (ii) there has not been a substantial
19 change in the nature of the use or operation of the range since the
20 plaintiff acquired title to the property that is adversely affected by
21 the use or operation of the range.

22 (b) This subsection does not prohibit or affect actions for
23 negligence or recklessness in the operation of the range or by a person
24 using the range.

25 (3) A person who participates in sport shooting at a sport shooting
26 range accepts the risks associated with the sport to the extent the
27 risks are obvious. Those risks include, but are not limited to,
28 injuries that may result from noise, discharge of a projectile or shot,
29 malfunction of sport shooting equipment not owned by the shooting
30 range, natural variations in terrain, surface or subsurface snow or ice
31 conditions, bare spots, rocks, trees, and other forms of natural growth
32 or debris.

33 (4) Except as otherwise provided in this section, this section does
34 not prohibit a local government from regulating the location and
35 construction of a sport shooting range after the effective date of this
36 section.

37 (5) As used in this section:

38 (a) "Local government" means a county, city, or town.

1 (b) "Person" means an individual, proprietorship, partnership,
2 corporation, club, or other legal entity.

3 (c) "Sport shooting range" or "range" means an area designed and
4 operated for the use of rifles, shotguns, pistols, silhouettes, skeet,
5 trap, black powder, or any other similar sport shooting activities.

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