

**HB 1419** - H AMD 5

By Representative Taylor

NOT CONSIDERED 01/05/2018

1 On page 3, after line 16, insert the following:

2 "Sec. 2. RCW 43.06.220 and 2008 c 181 s 1 are each amended to  
3 read as follows:

4 (1) The governor after proclaiming a state of emergency and  
5 prior to terminating such, may, in the area described by the  
6 proclamation issue an order prohibiting:

7 (a) Any person being on the public streets, or in the public  
8 parks, or at any other public place during the hours declared by the  
9 governor to be a period of curfew;

10 (b) Any number of persons, as designated by the governor, from  
11 assembling or gathering on the public streets, parks, or other open  
12 areas of this state, either public or private;

13 (c) The manufacture, transfer, use, possession or transportation  
14 of a molotov cocktail or any other device, instrument or object  
15 designed to explode or produce uncontained combustion;

16 (d) The transporting, possessing or using of gasoline, kerosene,  
17 or combustible, flammable, or explosive liquids or materials in a  
18 glass or uncapped container of any kind except in connection with  
19 the normal operation of motor vehicles, normal home use or  
20 legitimate commercial use;

21 (e) The possession of firearms or any other deadly weapon by a  
22 person (other than a law enforcement officer) in a place other than  
23 that person's place of residence or business, unless the state of  
24 emergency was declared on the basis of a security incident as  
25 defined by RCW 43.105.020;

26 (f) The sale, purchase or dispensing of alcoholic beverages;  
27

1 (g) The sale, purchase or dispensing of other commodities or  
2 goods, as he or she reasonably believes should be prohibited to help  
3 preserve and maintain life, health, property or the public peace;

4 (h) The use of certain streets, highways or public ways by the  
5 public; and

6 (i) Such other activities as he or she reasonably believes  
7 should be prohibited to help preserve and maintain life, health,  
8 property or the public peace.

9 (2) The governor after proclaiming a state of emergency and  
10 prior to terminating such may, in the area described by the  
11 proclamation, issue an order or orders concerning waiver or  
12 suspension of statutory obligations or limitations in any or all of  
13 the following areas as further specified and limited by chapter 181,  
14 Laws of 2008:

15 (a) Liability for participation in interlocal agreements;

16 (b) Inspection fees owed to the department of labor and  
17 industries;

18 (c) Application of the family emergency assistance program;

19 (d) Regulations, tariffs, and notice requirements under the  
20 jurisdiction of the utilities and transportation commission;

21 (e) Application of tax due dates and penalties relating to  
22 collection of taxes; and

23 (f) Permits for industrial, business, or medical uses of  
24 alcohol.

25 (3) In imposing the restrictions provided for by RCW 43.06.010,  
26 and 43.06.200 through 43.06.270, the governor may impose them for  
27 such times, upon such conditions, with such exceptions and in such  
28 areas of this state he or she from time to time deems necessary.

29 (4) Any person willfully violating any provision of an order  
30 issued by the governor under this section is guilty of a gross  
31 misdemeanor."

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33 Correct the title.

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EFFECT: Specifies that the Governor's powers after declaring a state of emergency based on a security incident do not include the power to issue an order prohibiting the possession of firearms or deadly weapons in a place other than a person's place of residence or business.

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