

SHB 2263 - H AMD 751

By Representative Taylor

1 On page 11, after line 7, insert the following:

2 "NEW SECTION. Sec. 12. A new section is added to chapter 42.14
3 RCW to read as follows:

4 During the continuance of any emergency resulting from a
5 catastrophic incident, neither the governor, nor the legislature or
6 any governmental entity or political subdivision of the state, may
7 impose any restriction on the possession, transfer, sale, transport,
8 storage, display, or use of firearms, ammunition, or dangerous
9 weapons, that is otherwise authorized or guaranteed by law.

10

11 **Sec. 13.** RCW 43.06.220 and 2008 c 181 s 1 are each amended to
12 read as follows:

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

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

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

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

25 (d) The transporting, possessing or using of gasoline, kerosene,
26 or combustible, flammable, or explosive liquids or materials in a
27 glass or uncapped container of any kind except in connection with

1 the normal operation of motor vehicles, normal home use or
2 legitimate commercial use;

3 ~~(e) ((The possession of firearms or any other deadly weapon by a
4 person (other than a law enforcement officer) in a place other than
5 that person's place of residence or business;~~

6 ~~(f))~~ The sale, purchase or dispensing of alcoholic beverages;

7 ~~((g))~~ (f) The sale, purchase or dispensing of other
8 commodities or goods, as he or she reasonably believes should be
9 prohibited to help preserve and maintain life, health, property or
10 the public peace;

11 ~~((h))~~ (g) The use of certain streets, highways or public ways
12 by the public; and

13 ~~((i))~~ (h) Such other activities as he or she reasonably
14 believes should be prohibited to help preserve and maintain life,
15 health, property or the public peace.

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

22 (a) Liability for participation in interlocal agreements;

23 (b) Inspection fees owed to the department of labor and
24 industries;

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

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

28 (e) Application of tax due dates and penalties relating to
29 collection of taxes; and

30 (f) Permits for industrial, business, or medical uses of
31 alcohol.

32 (3) In imposing the restrictions provided for by RCW 43.06.010,
33 and 43.06.200 through 43.06.270, the governor may impose them for

34

1 such times, upon such conditions, with such exceptions and in such
2 areas of this state he or she from time to time deems necessary.

3 (4) During the continuance of any state of emergency, neither
4 the governor nor any governmental entity or political subdivision of
5 the state may impose any restriction on the possession, transfer,
6 sale, transport, storage, display, or use of firearms, ammunition,
7 or dangerous weapons, that is otherwise authorized or guaranteed by
8 law.

9 (5) Any person willfully violating any provision of an order
10 issued by the governor under this section is guilty of a gross
11 misdemeanor."

12

13 Correct the title.

EFFECT: Amends the Continuity of Government Act to prohibit
the Legislature, the Governor, and any governmental entity or
political subdivision of the state from imposing additional
restrictions related to firearms, ammunition, or dangerous weapons
during periods of emergency resulting from catastrophic incidents.
Provides that neither the Governor, nor any governmental entity or
political subdivision, may impose additional restrictions related to
firearms, ammunition, and dangerous weapons during a proclaimed
emergency.

--- END ---