

SENATE BILL REPORT

SB 6146

As of January 10, 2018

Title: An act relating to local government authority to regulate firearms.

Brief Description: Relating to local government authority to regulate firearms.

Sponsors: Senators Saldaña, Pedersen, Keiser, Carlyle, Frockt, Hunt, Wellman and Kuderer.

Brief History:

Committee Activity: Law & Justice: 1/15/18.

Brief Summary of Bill

- Repeals state law preempting local government regulations of firearms.
- Removes limited exceptions to preemption that specifically authorize local government regulations of firearms.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Tim Ford (786-7423)

Background: State Preemption. State law expressly preempts the regulation of firearms by local government within the state. This includes the registration, licensing, possession, purchase, sale, acquisition, transfer, discharge, and transportation of firearms, or any other element relating to firearms or parts, including ammunition and reloader components. Cities, towns, and counties or other municipalities may enact only those laws and ordinances relating to firearms that are specifically authorized by state law. Local ordinances must have the same penalty as provided for by state law. Local laws and ordinances that are inconsistent with, more restrictive than, or exceed the requirements of state law cannot be enacted and are preempted and repealed, regardless of the nature of the code, charter, or home rule status of such city, town, county, or municipality.

Local Regulation Authorized by State Law. Cities, towns, counties, and other municipalities may enact laws and ordinances restricting:

- the discharge of firearms in any portion of their respective jurisdictions where there is a reasonable likelihood that humans, domestic animals, or property will be jeopardized; and

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- the possession of firearms in any stadium or convention center, operated by a city, town, county, or other municipality, except that such restrictions shall not apply to: (1) any pistol in the possession of a person with a concealed pistol license; or (2) any showing, demonstration, or lecture involving the exhibition of firearms.

Cities, towns, and counties may enact ordinances restricting the areas in their respective jurisdictions in which firearms may be sold. A business selling firearms may not be treated more restrictively than other businesses located within the same zone. Cities, towns, and counties may restrict the location of a business selling firearms to not less than 500 feet from primary or secondary school grounds, if the business has a storefront, has hours during which it is open for business, and posts advertisements or signs observable to passersby that firearms are available for sale.

Summary of Bill: State law preempting the regulation of firearms by local government is repealed. State law providing limited exceptions to preemption are also removed.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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