

SENATE BILL REPORT

SB 6294

As Reported by Senate Committee On:
Law & Justice, January 23, 2020

Title: An act relating to concealed pistol license training requirements.

Brief Description: Concerning concealed pistol license training requirements.

Sponsors: Senators Salomon, Kuderer, Pedersen, Wellman, Wilson, C., Carlyle and Nguyen.

Brief History:

Committee Activity: Law & Justice: 1/20/20, 1/23/20 [DP, DNP, w/oRec].

Brief Summary of Bill

- Requires an applicant for a concealed pistol license to provide proof of completion of a recognized firearms safety training program within the last five years.
- Exempts certain applicants from the requirement to provide proof of completion of a firearm safety training program including peace officers, members of the armed forces, and applicants applying for renewal who have previously submitted proof.
- Exempts a person with a protection order from the requirement to pay a fee for a concealed pistol license.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

Minority Report: Do not pass.

Signed by Senators Padden, Ranking Member; Wilson, L..

Minority Report: That it be referred without recommendation.

Signed by Senator Holy.

Staff: Shani Bauer (786-7468)

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.

Background: It is generally unlawful for a person to carry a pistol concealed on their person, except in the person's abode or fixed place of business, unless they have a valid concealed pistol license (CPL). Carrying a concealed pistol without having been issued a CPL is a misdemeanor offense. Failure to carry a CPL in one's immediate possession while carrying a concealed pistol is a civil infraction.

To obtain a CPL, a person must apply with the local law enforcement agency and undergo a fingerprint-based background check. A CPL must be issued if the applicant is eligible to possess a firearm under state or federal law, is 21 years of age or older, and submits a completed application along with the required application fee. A copy of the CPL must be delivered to the Department of Licensing, which maintains records of CPLs in an electronic database.

A CPL is valid for a period of five years. The fee for an original CPL is \$36, plus additional charges imposed by the Federal Bureau of Investigation, that are passed on to the applicant. A CPL holder may renew the license by applying, for renewal within 90 days before or after expiration of the license. The renewal takes effect on the expiration date of the previous license. The renewal fee is \$32, and if the licensee renews after the expiration date, an additional \$10 late renewal penalty applies.

The requirements to obtain a concealed carry permit or license vary substantially between states. Twelve states allow persons to conceal carry without a permit or license. Ten states and the District of Columbia require an applicant to be of good character or a suitable person. Twenty-seven states require applicants to demonstrate knowledge of firearm use and safety or both.

Summary of Bill: To obtain or renew a concealed pistol license, a person must provide proof they have completed a recognized firearms safety training program within the last five years. At a minimum, the training must include eight hours of instruction on:

- basic firearm safety rules;
- firearms and children, including safe storage;
- firearms and suicide prevention;
- safe storage of firearms to prevent unauthorized access and use;
- safe handling of firearms;
- state and federal firearms laws, including prohibited firearm transfers;
- state laws pertaining to the use of deadly force for self-defense;
- techniques for managing violent confrontations, including conflict resolution; and
- live-fire shooting exercises including a demonstration of shooting proficiency with a pistol.

The training must be sponsored by a law enforcement agency, college or university, a nationally recognized organization that customarily offers firearms training, or a firearm training school with instructors certified by a nationally recognized organization that customarily offers firearms training.

The firearm safety training requirement does not apply to an applicant:

- who is a certified peace officer;

- who is a member of the armed forces of the U.S., national guard, or armed forces reserves who, as part of their service, have completed within the past five years a course of training in firearms proficiency, including the safe handling of a pistol; and
- who is renewing a concealed pistol license and previously submitted proof of completion of a recognized firearms safety training program.

The Washington State Patrol must prescribe the form and manner of documentation to provide to an applicant for use as proof of completion of a recognized firearms safety training program. An applicant who submits a certified copy of an active and valid order of protection is not required to submit a fee in connection with an application for a new concealed pistol license or renewal. Statutory provisions are reorganized for readability.

Appropriation: None.

Fiscal Note: Available.

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

Effective Date: The bill takes effect on January 1, 2021.

Staff Summary of Public Testimony: PRO: Firearms play an important role in self-defense, but I believe it is important to make sure that those that carry firearms are appropriately trained. This bill includes key changes from last year including only requiring training with one firearm, exemptions for law enforcement and armed forces, additional time before the bill take effect in order to allow training to come online, and a fee waiver for those with protection orders.

Teenagers today have lived a life under the threat of gun violence. Some of us know what it is like to cower in the corner of a classroom because there is an active shooter. Washington leads the country in so many other areas, but is an outlier when it comes to required training for getting a CPL.

There are over 600,000 CPLs issued in the state but not one was required to go through training. Studies show that training reduces the rate of inadvertent deaths from firearms. Further, 76 percent of gun deaths are from suicide. This training includes a segment on suicide prevention and will help prevent further needless deaths.

Gun users with less training are more likely to shoot innocent bystanders than those who have training. It also means that children are more likely to come across a gun that is not safely stored. Comprehensive training for CPL holders can meaningfully improve public safety.

In order to obtain a driver's license, you have to pass a written test and a driving test. In order to have a CPL, a person should at least have to demonstrate they can safely fire a weapon and store it appropriately. Recently a CPL holder shot and killed an 82 year old woman while putting his pistol back in its holster. Approximately 1 in 12 Washingtonians have a CPL. Ensuring that they have some sort of training is not a big ask.

CON: There is a large difference between requiring training for law enforcement and a private citizen. A general citizen has the constitutional right to carry a firearm for self-defense. This right cannot be infringed upon with exorbitant expenses or extensive training requirements.

It is ironic that we are here on MLK day to talk about our civil rights. Training mandates are counterproductive. Statistics show us that CPL holders are the most law abiding members of our state. We should not be making it more difficult for persons to join this group. We need more responsible citizens to exercise their right to carry, not less.

It is sad that we are debating bills that will more than likely not prevent any death. People continue to insist on erosion of constitutional rights. It is a waste of time. Political power should be used to improve the lives of citizens. People are sick and tired of gestural politics. Legislators should be doing something productive based on factual evidence.

This bill places an expensive burden on those who seek to defend themselves. There are some areas of the state where it is very difficult to find a live fire training facility. Mandating training when there is not a facility available is an undue financial burden. Some people already have minimal financial ability to purchase a firearm.

Persons Testifying: PRO: Senator Jesse Salomon, Prime Sponsor; Kyungmin Yook, Moms Demand Action; Jennifer Widrig-Hodges, Moms Demand Action; Lauren Owen, Moms Demand Action; Rebecca Elbaum, Moms Demand Action; Rachel Smith-Mosel, Moms Demand Action; Jan Weisel, Moms Demand Action.

CON: Sharyn Hinchcliffe, Pink Pistols Seattle/Tacoma; Allen Ernst, citizen; Don Baldwin, citizen; Boyd Kneeland, Citizens Committee for the Right to Keep and Bear Arms; Melissa Denny, Pistol Annie's Jewelry & Pawn, Washington State Firearms Coalition.

Persons Signed In To Testify But Not Testifying: PRO: Teresa Manns, citizen; Dylan O'Connor, citizen; Jordan Waits, citizen; Melissa Stone, citizen.

CON: Mike Silvers, citizen; Daniel Mitchell, Sporting Systems; James Barrick, citizen; Jon Conley, citizen; Jerry Bentler, citizen; Christine Price, citizen; Curtis Bingham, WAGuns; James Barrick, WAGuns; Caleb Doner, citizen; Chris Spieth, citizen; Ira Moser, citizen; Tony Payauys, citizen; Zachary Duncan, citizen; Devon Oslund, citizen; Sara Hall, citizen; Jane Milhans, citizen; Daniel Smallwood, citizen; Brian Keelean, Washington State Rifle and Pistol Association; Adam Davison, citizen; Erik Ordway, citizen; Michael Cain, citizen; Stuart Christoph, citizen; Davin Jaggard, citizen; Tom Shofner, citizen; Dan Chavre, citizen; Van Byington, American Citizenry; Nick Jesch, citizen; Benton Cospers, citizen; Tim Blake, citizen; Howard Briggs, citizen; Ryan Kalmikov, citizen; Christopher Kimball, citizen; Philip Shave, citizen.

OTHER: Neil DeBoer, citizen.