

---

SENATE BILL 6859

---

State of Washington                      60th Legislature                      2008 Regular Session

By Senators Morton, Hatfield, Schoesler, Sheldon, and Rasmussen

Read first time 01/29/08.                      Referred to Committee on Natural Resources, Ocean & Recreation.

1            AN ACT Relating to the use of firearms on land managed by the  
2 department of fish and wildlife; adding a new section to chapter 77.15  
3 RCW; adding a new section to chapter 77.12 RCW; creating a new section;  
4 and prescribing penalties.

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

6            NEW SECTION.    **Sec. 1.** A new section is added to chapter 77.15 RCW  
7 to read as follows:

8            (1) It is an unlawful use of a firearm on department land to, on  
9 any land under the ownership, management, lease, or control of the  
10 department:

11            (a) Discharge tracer or incendiary ammunition;

12            (b) Discharge firearms in those portions of department lands where  
13 or when such discharge is prohibited by a notice posted by the  
14 department under section 2 of this act;

15            (c) Discharge firearms negligently from, across, or into a  
16 department-designated area where camping is allowed;

17            (d) Target glass, signs, appliances, mattresses, televisions,  
18 furniture, exploding items, or other items identified by the department  
19 under section 2 of this act as targets for target practicing;

1 (e) Fail to make a good faith effort to remove all expended shell  
2 casings, ammunition packaging, or other related target debris, other  
3 than clay pigeons, at the conclusion of a target practicing session or  
4 prior to departure from the immediate area.

5 (2)(a) Except as otherwise provided by this section, a violation of  
6 this section is punishable as a natural resource infraction under  
7 chapter 7.84 RCW.

8 (b) A violation of subsection (1)(c) of this section is punishable  
9 as a gross misdemeanor if the violation satisfies the elements of the  
10 crime of reckless endangerment set forth in RCW 9A.36.050.

11 (c) A violation of subsection (1)(e) of this section is punishable  
12 as a littering violation under RCW 70.93.060.

13 (3) As used in this section, "firearm" has the same meaning as  
14 provided in RCW 9.41.010, but excludes pellet guns, BB guns, paintball  
15 guns, other guns that use compressed air as a propellant, or  
16 immobilization guns used by department employees for animal restraint.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.12 RCW  
18 to read as follows:

19 (1)(a) The department may prohibit the discharge of firearms on  
20 portions of any land managed by the department, either indefinitely or  
21 or for set periods of time, only if the prohibition is necessary for  
22 wildlife or resource management. The department may not prohibit the  
23 discharge of firearms solely based on a firm distance measurement from  
24 a set location.

25 (b) All areas where the discharge of a firearm is prohibited must  
26 be posted as such by the department.

27 (2) The commission may not prohibit a person from carrying or  
28 possessing a firearm on any portion of land under the ownership,  
29 management, lease, or control of the department, or from discharging  
30 the firearm for the protection of the person or another, if the person  
31 is otherwise legally entitled to possess, carry, or discharge the  
32 firearm.

33 (3) The department shall not identify locations and times closed to  
34 target practicing based on resource management concerns unless there  
35 has been sufficient verification and consent for the restrictions from  
36 the local community.

1        NEW SECTION.    **Sec. 3.**    The fish and wildlife commission shall,  
2    within sixty days of the effective date of this section, amend or  
3    repeal any rules inconsistent with the provisions of this act.    Until  
4    amended, no rule inconsistent with this act may be enforced.

--- END ---