

SENATE BILL REPORT

SB 5193

As Passed Senate, March 3, 2009

Title: An act relating to weapons possession by an alien when hunting with a Washington-licensed hunter.

Brief Description: Allowing a nonresident alien to possess weapons when hunting with a Washington-licensed hunter.

Sponsors: Senators Delvin, Hewitt, Kastama, Carrell, Kilmer, Zarelli, Stevens, King, Schoesler, Swecker, Pridemore, Roach and Holmquist.

Brief History:

Committee Activity: Natural Resources, Ocean & Recreation: 2/16/09, 2/19/09 [DP].
Passed Senate: 3/03/09, 45-3.

SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

Majority Report: Do pass.

Signed by Senators Jacobsen, Chair; Ranker, Vice Chair; Morton, Ranking Minority Member; Fraser, Hargrove, Hatfield, Stevens and Swecker.

Staff: Karen Epps (786-7424)

Background: The law currently states that it is a class C felony for any person who is not a citizen of the United States to carry or possess any firearm without having obtained an alien firearm license from the Director of Licensing.

In order to be eligible, an alien must provide the Director of Licensing (Director) a certified copy of the alien's criminal history in the alien's country, as well as an attestation that the alien is a responsible person, from the consul domiciled in Washington representing the country of the alien.

If the alien has been a resident of Washington for at least two years and is from a country without a consul domiciled within Washington, or the consul has failed to provide, within 90 days, the required documentation, the Director may issue an alien firearm license, subject to the following requirement: before issuing the license, the Director must ask local law enforcement agencies to conduct a background and fingerprint check to determine the alien's eligibility to own, possess, or control a firearm. This check must be conducted within 30 days

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of the request. If the alien does not have a valid Washington driver's license or I.D. card, the check must be conducted within 60 days of the request. The alien firearm license is good for five years.

These requirements do not apply to Canadian citizens resident in a province which has an enactment or public policy providing substantially similar privileges to Washington residents.

Summary of Bill: Nonimmigrant aliens in possession of a valid Washington hunting license and while accompanied by a Washington-licensed hunter who is over 18 and has held a Washington hunting license for the prior three years may carry or possess weapons for the purpose of using them while hunting or on a hunting trip.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This prohibition is affecting businesses in Washington that provide guiding services to hunters. Hunting guides receive numerous requests from foreigners interested in hunting in Washington, but foreigners are not allowed to possess a firearm. This bill would allow those hunters to come to Washington to hunt with a firearm. These hunters would still need to buy a hunting license to hunt during our lawful seasons.

Persons Testifying: PRO: Senator Delvin, prime sponsor; Mik Mikitik, Washington Department of Fish and Wildlife; Ed Owens, Hunters Heritage Council.