

# SENATE BILL REPORT

## SB 5697

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As Reported by Senate Committee On:  
Judiciary, January 31, 2012

**Title:** An act relating to minimum standards for firearms safety devices and gun safes used by governmental agencies that purchase, receive, possess, use, or issue firearms and government agents who receive, possess, or use a firearm issued to the agent by the agency.

**Brief Description:** Addressing the minimum standards for firearms safety devices and gun safes used by certain governmental agencies that purchase, receive, possess, use, or issue firearms and government agents who receive, possess, or use a firearm issued to the agent by the agency.

**Sponsors:** Senators Hargrove and Schoesler.

**Brief History:**

**Committee Activity:** Judiciary: 1/13/12, 1/31/12 [DPS, w/oRec].

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### SENATE COMMITTEE ON JUDICIARY

**Majority Report:** That Substitute Senate Bill No. 5697 be substituted therefor, and the substitute bill do pass.

Signed by Senators Harper, Vice Chair; Pflug, Ranking Minority Member; Carrell, Hargrove, Regala and Roach.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Padden.

**Staff:** Aldo Melchiori (786-7439)

**Background:** Generally, a gun safe is a secure and protective storage container for one or more firearms and/or ammunition. Gun safes are used to prevent access to unauthorized or unqualified parties, protect against burglars, and, in more capable safes, to protect the contents from damage during a flood or fire. Gun safes come in many shapes and sizes, and may include additional security features such as voice-activated locks and fingerprint identification. A firearms safety device is a locking device designed to prevent unauthorized users from firing a firearm. The device may be installed on a firearm, be incorporated into the design of a firearm, or prevent access to the firearm. There are many manufacturers and

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dealers of gun safes and firearms safety devices, and their products differ in both strength and quality.

**Summary of Bill:** The bill as referred to committee not considered.

**Summary of Bill (Recommended Substitute):** The Legislature adopts the list of gun safes and firearm safety devices identified by the California Department of Justice as of July 1, 2012. If a governmental agency chooses to purchase, use, or issue a firearms safety device or gun safe, that device must meet the standards identified by the California Department of Justice on the date of purchase.

A governmental agency or agent is not liable for civil damages resulting directly or indirectly from the purchase, possession, or proper use of a firearms safety device or gun safe that is identified by the California Department of Justice. Nor is a governmental agency or agent liable for the purchase, possession, or proper use of a firearm safety device or gun safe identified as appropriate for that firearm that was purchased prior to July 1, 2012.

**EFFECT OF CHANGES MADE BY JUDICIARY COMMITTEE (Recommended Substitute as Passed Committee):** The Washington Attorney General is not required to set minimum safety standards, certify laboratories, or publish a roster of approved gun safes or firearm safety devices. The Legislature adopts the list of gun safes and firearm safety devices identified by the California Department of Justice as of July 1, 2012.

**Appropriation:** None.

**Fiscal Note:** Available.

[OFM requested ten-year cost projection pursuant to I-960.]

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony as Heard in Committee:** PRO: This bill addresses a serious safety concern for the citizens of Washington, especially those who work in law enforcement, their families, and children. In the past, little research has been done by governmental agencies to ensure that the firearm safety devices they purchased and issued to law enforcement officers were actually safe to use. There are no minimum standards in place in Washington. Only California has established minimum comprehensive standards for these devices. There are economically affordable small safes that meet the gun safe standards defined in the bill.

OTHER: Requiring these devices to be issued would be a significant cost to many governmental agencies. There are 800 fish and wildlife volunteers and many hunter safety instructors who are agents of the state and all of these people would be required to have gun safes or safety devices issued by the agency. The term firearm needs to be defined.

**Persons Testifying:** PRO: Ed Owens, citizen; Kristie Owens, citizen; Ed Owens, citizen.

OTHER: Jason Berry, WSP; Bruce Bjork, WA Department of Fish and Wildlife.