1419 AMH TAYL HARO 329

**HB 1419** - H AMD **5**

By Representative Taylor

**NOT CONSIDERED 01/05/2018**

 On page 3, after line 16, insert the following:

 "**Sec. 2.** RCW 43.06.220 and 2008 c 181 s 1 are each amended to read as follows:

(1) The governor after proclaiming a state of emergency and prior to terminating such, may, in the area described by the proclamation issue an order prohibiting:

(a) Any person being on the public streets, or in the public parks, or at any other public place during the hours declared by the governor to be a period of curfew;

(b) Any number of persons, as designated by the governor, from assembling or gathering on the public streets, parks, or other open areas of this state, either public or private;

(c) The manufacture, transfer, use, possession or transportation of a molotov cocktail or any other device, instrument or object designed to explode or produce uncontained combustion;

(d) The transporting, possessing or using of gasoline, kerosene, or combustible, flammable, or explosive liquids or materials in a glass or uncapped container of any kind except in connection with the normal operation of motor vehicles, normal home use or legitimate commercial use;

(e) The possession of firearms or any other deadly weapon by a person (other than a law enforcement officer) in a place other than that person's place of residence or business, unless the state of emergency was declared on the basis of a security incident as defined by RCW 43.105.020;

(f) The sale, purchase or dispensing of alcoholic beverages;

(g) The sale, purchase or dispensing of other commodities or goods, as he or she reasonably believes should be prohibited to help preserve and maintain life, health, property or the public peace;

(h) The use of certain streets, highways or public ways by the public; and

(i) Such other activities as he or she reasonably believes should be prohibited to help preserve and maintain life, health, property or the public peace.

(2) The governor after proclaiming a state of emergency and prior to terminating such may, in the area described by the proclamation, issue an order or orders concerning waiver or suspension of statutory obligations or limitations in any or all of the following areas as further specified and limited by chapter 181, Laws of 2008:

(a) Liability for participation in interlocal agreements;

(b) Inspection fees owed to the department of labor and industries;

(c) Application of the family emergency assistance program;

(d) Regulations, tariffs, and notice requirements under the jurisdiction of the utilities and transportation commission;

(e) Application of tax due dates and penalties relating to collection of taxes; and

(f) Permits for industrial, business, or medical uses of alcohol.

(3) In imposing the restrictions provided for by RCW 43.06.010, and 43.06.200 through 43.06.270, the governor may impose them for such times, upon such conditions, with such exceptions and in such areas of this state he or she from time to time deems necessary.

(4) Any person willfully violating any provision of an order issued by the governor under this section is guilty of a gross misdemeanor."

 Correct the title.

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|  |  EFFECT:   Specifies that the Governor's powers after declaring a state of emergency based on a security incident do not include the power to issue an order prohibiting the possession of firearms or deadly weapons in a place other than a person's place of residence or business. |

**--- END ---**