

FINAL BILL REPORT

SHB 1069

C 392 L 95

Synopsis as Enacted

Brief Description: Exempting retired law enforcement officers from restrictions on carrying firearms.

Sponsors: House Committee on Law & Justice (originally sponsored by Representatives Delvin, Wolfe, Mielke, Ebersole, Ballasiotes, Sheldon, Mastin, Carlson, McMorris, Carrell, Robertson, Hickel, Sheahan, Reams, Benton, Padden, Boldt, Hargrove, Chandler, McMahan, Cairnes, Clements, Chappell, Buck, Campbell, L. Thomas, Johnson, Backlund, Cooke, Conway, Kessler, Costa, Mulliken, Kremen, Dickerson, Quall, Basich, Fuhrman, Morris, Huff, Mitchell, Honeyford, Pennington, Elliot, Schoesler, D. Schmidt, Dyer and Appelwick).

House Committee on Law & Justice **Senate Committee on Law & Justice**

Background: Persons are generally prohibited from carrying a concealed pistol without a license. Except for in a person's home or place of business, a concealed pistol license is required before a person may legally carry a concealed pistol. A concealed pistol license costs \$50 every four years.

A person may apply to the city or county of his or her residence for a concealed pistol license. Certain qualifications must be met before a person may be issued a concealed pistol license. A person who applies for a concealed pistol license must:

- o Be eligible to possess a firearm;
- o Be 21 or older;
- o Not be subject to an injunction regarding firearms;
- o Not be pending trial, appeal, or sentencing for certain felony offenses;
- o Not be subject to an outstanding arrest warrant for any crime; and
- o Not have been within the past year ordered to forfeit a firearm for possessing a concealed firearm while intoxicated in a place where a concealed pistol license is required.

In addition to this requirement regarding concealed pistols, the law contains a general prohibition against the open carrying of any firearm. With numerous exceptions, no one may carry a firearm unless the firearm is unloaded and enclosed in an opaque case or secure wrapper. The exceptions to this prohibition apply to being on one's own property or in an area where shooting is not prohibited, and also apply to

engaging in and travelling to and from activities such as hunting, trapping, firearms' training, target practice, and firearms' competition. In addition, there are exceptions for persons who are licensed to carry concealed pistols, persons with unloaded firearms secured in place in a vehicle, persons carrying firearms to and from vehicles for the purpose of repair, and law enforcement officers. A city, town, or county may enact an ordinance exempting itself from this "case and carry" rule.

Certain individuals are exempted from the requirement for a concealed pistol license and from the requirement that a firearm be carried in an opaque case or secure wrapper. Those who are exempted include: law enforcement personnel; military personnel while on duty; other government personnel authorized to carry concealed pistols; persons engaged in the business of manufacturing, repairing, or dealing in firearms while in the course of business; members of groups authorized to receive pistols from the government; members of target shooting clubs or collectors clubs while shooting or exhibiting firearms or while en route to or from their practice or exhibition places; and hunters while hunting.

Summary: Certain retired law enforcement officers are exempted from the requirement of having a license to carry a concealed pistol and from the general prohibition against openly carrying a firearm. The exemption applies to officers who have been retired for service or physical disabilities. The exemption does not apply to officers who have been retired for mental or stress-related disabilities. To be eligible for this exemption, a retired officer must get documentation from his or her former agency that retirement was for service or physical disability.

Votes on Final Passage:

House	93	5
Senate	40	5

Effective: July 23, 1995