
Judiciary Committee

HB 2460

Title: An act relating to providing local authorities with the authority to regulate firearms in certain public places.

Brief Description: Providing local authorities with the authority to regulate firearms in certain public places.

Sponsors: Representatives Walkinshaw, Jinkins, Robinson, Pollet, Moscoso, Appleton, Tharinger, Senn, Cody, Farrell, Tarleton, Kagi, Fitzgibbon, Reykdal, Frame, Moeller, Fey, Stanford, McBride and S. Hunt.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Authorizes local authorities to regulate the possession of firearms in public parks and recreational facilities, public libraries, and public transportation and associated transit facilities.

Hearing Date: 1/21/16

Staff: Edie Adams (786-7180).

Background:

Under the state constitution, local jurisdictions have the authority to adopt and enforce public health, safety, and other laws unless in conflict with the general laws of the state. The law governing firearms contains a preemption section that expresses an intent to limit the authority of local jurisdictions to pass firearms laws. The law provides that the state fully occupies and preempts the entire field of firearms regulation within the boundaries of the state, and local jurisdictions may enact only those laws relating to firearms that are specifically authorized by and consistent with state law.

Local jurisdictions are authorized to regulate firearms in some circumstances. Local jurisdictions may enact laws restricting the discharge of firearms in locations where there is a

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reasonable likelihood that humans, domestic animals, or property will be jeopardized. Local jurisdictions also may enact laws restricting the possession of firearms in any stadium or convention center operated by the local jurisdiction, except that such restrictions may not apply to: a pistol in the possession of a person who has a valid concealed pistol license (CPL) or is exempt from CPL requirements; or any showing, demonstration, or lecture involving the exhibition of firearms.

In addition, local jurisdictions may regulate the areas in which firearms may be sold as long as businesses selling firearms are not treated more restrictively than other businesses located within the same zone. A local jurisdiction may restrict the location of a firearms business to not less than 500 feet from school grounds if the business has a storefront with business hours and posts advertisements or signs that firearms are for sale.

Summary of Bill:

Local authority to regulate the possession of firearms is expanded to include public parks and recreational facilities, public transportation and transit facilities, and public libraries.

Cities, towns, counties, and other municipalities may enact laws and ordinances restricting the possession of firearms in any designated public park space and recreational facility. "Public park space and recreational facility" is defined as public areas and buildings permanently dedicated to recreational, aesthetic, educational, or cultural use.

Cities, towns, counties, municipal corporations, and the governing body of a public transportation authority may enact laws and rules restricting the possession of firearms on any mode of public transportation and any associated transit facilities. "Transit facility" is defined to mean all passenger facilities, structures, or shelters that are owned, leased, held, or used by a transit authority for the purpose of providing public transportation services.

Cities, towns, counties, municipal corporations, and the governing body of a public library may enact laws and rules restricting the possession of firearms on the premises of a public library.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.