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**Civil Rights & Judiciary Committee**

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**HB 1315**

**Brief Description:** Concerning concealed pistol license training requirements.

**Sponsors:** Representatives Lovick, Jinkins, Ryu, Senn, Goodman, Kilduff, Bergquist, Kloba, Stanford, Davis, Walen and Pollet.

**Brief Summary of Bill**

- Requires an applicant to provide evidence of completion of a handgun proficiency course in order to obtain a concealed pistol license.
- Requires the Washington State Patrol to establish minimum standards for handgun proficiency, develop a course and examinations to measure handgun proficiency, and certify qualified handgun instructors and approved online course providers.

**Hearing Date:** 1/29/19

**Staff:** Edie Adams (786-7180).

**Background:**

It is generally unlawful for a person to carry a pistol concealed on his or her person, except in the person's abode or fixed place of business, unless the person has a valid concealed pistol license (CPL). Carrying a concealed pistol without having been issued a CPL is a misdemeanor offense. Failure to carry a CPL in one's immediate possession while carrying a concealed pistol is a civil infraction.

In order to obtain a CPL, a person must apply with the local law enforcement agency and undergo a fingerprint-based background check to determine eligibility. An application for a CPL must include the applicant's name, residential address, date and place of birth, race, gender, description, complete set of fingerprints, and driver's license number or state identification card if used for identification in applying for the license.

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A CPL must be issued if the applicant is not ineligible to possess a firearm under state or federal law and if the applicant meets the following additional requirements:

- be eligible to possess a firearm under state and federal law;
- be 21 years of age or older;
- not be subject to a court injunction regarding firearms under a number of listed protection, restraining, and no-contact orders;
- not be pending trial, appeal, or sentencing for a felony offense;
- not be subject to an outstanding arrest warrant for any crime; and
- not have been, within the past year, ordered to forfeit a firearm for possessing a concealed firearm while intoxicated in a place where a CPL is required.

A CPL is valid for a period of five years. The fee for an original CPL is \$36 plus additional charges imposed by the Federal Bureau of Investigation that are passed on to the applicant. A CPL holder may renew the license by applying for renewal within 90 days before or after expiration of the license. The renewal takes effect on the expiration date of the previous license. The renewal fee is \$32, and if the licensee renews after the expiration date, an additional \$10 late renewal penalty applies.

### **Summary of Bill:**

In order to obtain a concealed pistol license (CPL), a person must provide evidence of completion of a handgun proficiency course developed by the Washington State Patrol (WSP). In addition, the statute governing CPLs is restructured, and the requirement that a CPL include the race and gender of the applicant is removed.

The WSP must establish minimum standards for handgun proficiency, develop a course and examinations to measure handgun proficiency, and certify qualified handgun instructors and approved online course providers. The WSP must develop the form and manner of documentation to be provided to a CPL applicant for use as evidence of handgun proficiency.

### Handgun Proficiency Course.

The handgun proficiency course must contain training sessions divided into two parts: classroom instruction; and range instruction and an actual demonstration of the applicant's ability to safely and proficiently use a handgun. The WSP must distribute the standards, course requirements, and examinations upon request of a qualified handgun instructor or approved online course provider.

Only qualified handgun instructors may administer the range instruction part of the course, and qualified handgun instructors and approved online course providers may administer the classroom instruction part of the course.

Classroom instruction must include between four and eight hours of instruction on:

- laws governing weapons and use of deadly force;
- handgun use and safety, including methods to ensure the secure carrying of openly carried handguns;
- techniques for avoiding a criminal attack and manage a violent confrontation; and
- proper storage practices, with an emphasis on storage practices that eliminate the potential of accidental injury to a child.

The handgun proficiency examination must include:

- a written section on the components of the classroom instruction; and
- a physical demonstration of proficiency in the use of one or more handguns and in handgun safety procedures.

A qualified handgun instructor must administer the handgun proficiency examination, except that an online course provider may administer the written portion of the proficiency examination. An applicant who successfully completed an online version of the classroom instruction must complete between one to two hours of range instruction before the instructor may administer the physical demonstration of handgun proficiency.

Certification of Qualified Handgun Instructors and Approved Online Course Providers.

The WSP may certify a person as a qualified handgun instructor if the person:

- is certified by the Criminal Justice Training Commission as a handgun instructor;
- regularly instructs others in the use of handguns and has graduated from a handgun instructor school that uses nationally accepted courses; or
- is certified by the National Rifle Association of America as a handgun instructor.

The WSP may certify a person as an approved online course provider if the person has:

- at least three years of experience in providing online instruction;
- experience working with government entities; and
- direct knowledge of hand gun training.

In addition, qualified handgun instructors and approved online course providers must be qualified to instruct persons in the topical components of the required classroom instruction.

The WSP may charge a fee of up to \$100 to certify a qualified handgun instructor or approved online course provider, and certifications are valid for 5 years.

**Appropriation:** None.

**Fiscal Note:** Available.

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