

HOUSE BILL REPORT

SHB 1152

As Amended by Senate

Title: An act relating to fees for concealed pistol licenses.

Brief Description: Changing fees regarding concealed pistol licenses.

Sponsors: By House Committee on Law & Justice (originally sponsored by Representatives Pennington, Buck, Smith, Sherstad, Beekma, Hargrove, Campbell, Chappell, Basich, Sheldon, Backlund, L. Thomas, Thompson, Foreman, Benton, McMorris, Robertson, Goldsmith, McMahan, Chandler, Clements, Mulliken, Johnson, D. Schmidt, B. Thomas, Delvin, Koster, Hymes, Skinner, Mielke and Padden).

Brief History:

Committee Activity:

Law & Justice: 1/27/95, 2/10/95 [DPS];

Finance: 2/28/95, 3/3/95 [DPS(LJ)].

Floor Activity:

Passed House: 3/10/95, 75-22.

Senate Amended.

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives Padden, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Campbell; Carrell; Chappell; Lambert; McMahan; Morris; Robertson; Sheahan and Smith.

Minority Report: Do not pass. Signed by 5 members: Representatives Appelwick, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Cody; Thibaudeau and Veloria.

Staff: Bill Perry (786-7123).

HOUSE COMMITTEE ON FINANCE

Majority Report: The substitute bill by Committee on Law & Justice be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives B. Thomas, Chairman; Boldt, Vice Chairman; Carrell, Vice Chairman; Morris, Ranking Minority Member; Hymes; Mulliken; Pennington; Schoesler; Sheldon and Van Luven.

Minority Report: Do not pass. Signed by 2 members: Representatives Dickerson, Assistant Ranking Minority Member; and Mason.

Staff: Rick Peterson (786-7150).

Background: With limited exceptions, a person is required to obtain a license before carrying a concealed pistol. An application for a concealed pistol license requires a fingerprint and criminal background check. A license must be renewed every four years.

Prior to 1994, the fee for an original license was \$23. The distribution of that fee was as follows: \$4 to the state general fund, \$4 to the agency taking the fingerprints, \$12 to the issuing authority, and \$3 to the firearms range account.

The issuing authority's \$12 share had remained the same since 1983, when the share was raised from \$1.50. At the same time, the total cost of an original license was raised from \$5 to \$20. In 1988, the total cost was raised \$3 to \$23, with the additional \$3 earmarked for the firearms range account.

The pre-1994 fee for a renewal license was \$15, with \$4 distributed to the state general fund, \$8 to the issuing authority, and \$3 to the firearms range account. As with original licenses, the fee for a renewal license was raised \$3 in 1988, with the increase allocated to the firearms range account.

Before 1994, a late fee of \$10 was assessed for a license not renewed within 90 days of expiration, with \$3 allocated to the state wildlife fund and \$7 allocated to the issuing authority.

In 1994, as part of E2SHB 2319, all of the concealed pistol licensing fees were increased. An original license fee was increased from \$23 to \$50, to be distributed as follows: \$15 to the state general fund, \$10 to the agency taking the fingerprints, \$15 to the issuing authority, and \$10 to the firearms range account. A renewal license fee was increased from \$15 to \$50, with \$20 to the state general fund, \$20 to the issuing authority and \$10 to the firearms range account. The late penalty was increased to \$20, with \$10 to the state wildlife fund and \$10 to the issuing authority.

As of October 1, 1994, the federal government has begun to charge local issuing authorities a fee of \$24 for each fingerprint check done in connection with a concealed pistol license application.

Summary of Bill: With one exception, concealed pistol license fees are restored to the amounts that existed before they were raised in 1994. The one exception is that the original issuance fee is set at \$25, instead of \$23, with the additional \$2 going to the issuing authority.

The fees under the bill are as follows:

1. An original four-year license costs \$25 with the money distributed as follows: \$4 to the state general fund; \$4 to the local fingerprinting agency; \$14 to the local issuing authority; and \$3 to the firearms range account.
2. A renewal license costs \$15 with the money distributed as follows: \$4 to the state general fund; \$8 to the issuing authority; and \$3 to the firearms range account.
3. The fee for a late renewal is \$10 with the money distributed as follows: \$3 to the state wildlife fund; and \$7 to the issuing authority.

Local issuing authorities are allowed to pass on to applicants the FBI fee for fingerprint checks.

EFFECT OF SENATE AMENDMENT(S):

The striking amendment alters both the amount of the fee charged for a concealed pistol license and the period for which such a license is issued. The striking amendment lowers the current \$50 fee for an original license to \$36 instead of to \$25. This is an \$11 difference, which the striking amendment distributes by sending \$15, instead of \$4, to the state general fund. The striking amendment lowers the renewal fee from the current \$50 to \$32 instead of to \$15. This is a \$17 difference, which the striking amendment distributes by sending \$15, instead of \$4, to the state general fund, and by leaving \$14, instead of \$8, with the entity issuing the license. The striking amendment increases the period of concealed pistol licenses from four years to five years.

The striking amendment also makes a number of structural and other changes in the law relating to the application for a concealed pistol license. Among these are the elimination of judges as issuing entities for licenses, the explicit inclusion of being under Department of Corrections supervision as disqualifying a person from getting a license, and a clarification of the difference between a license application form and the license itself.

Appropriation: None.

Fiscal Note: Requested February 28, 1995.

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

Testimony For: (Law & Justice) Many people, particularly the elderly and single parents, cannot afford the fee for a concealed pistol license. The current fees are just designed to generate government revenue.

(Finance) Same as before the Law & Justice Committee.

Testimony Against: (Law & Justice) The fee amounts to only \$12.25 per year, and even now is not enough to cover the cost to local governments for processing applications. Taxpayers should not be subsidizing license holders.

(Finance) None.

Testified: (Law & Justice) Representative Pennington, prime sponsor (pro); Joyce Boss, Women for Defense Rights (pro); Dave Workman, National Rifle Association (pro); Myrtle Cooper, citizen (pro); Terry Jennings, citizen (pro); Cecil Escalante, citizen (pro); Larry Erickson, Washington Association of Sheriffs and Police Chiefs (con); Jeanne Jacobs, Everett Police Department (con); and Kurt Sharar, Association of Washington Counties (con).

(Finance) Representative Tom Campbell, prime sponsor; Col. Mel Pfankuche, Col. Mel Pfankuche & Associates; David Reynard, citizen; Merton Cooper, citizen; and Joe Waldron, Firearms Coalition.

Votes in Final Passage:

Yeas 75; Nays 22, Absent 1

Nays: Appelwick, Brown, Chopp, Cody, Cole, Costa, Dellwo, Dickerson, G. Fisher, R. Fisher, Jacobsen, Mason, Patterson, Poulsen, Regala, Rust, Scott, Sommers, Thibaudeau, Tokuda, Valle, Veloria

Absent: Mr. Speaker