
SUBSTITUTE HOUSE BILL 1115

State of Washington

54th Legislature

1995 Regular Session

By House Committee on Law & Justice (originally sponsored by Representatives Campbell, Robertson, Smith, Hargrove, Chappell, Sheldon, Kremen, Sheahan, D. Schmidt, Padden, Schoesler, Crouse, Basich and Sherstad)

Read first time 02/09/95.

1 AN ACT Relating to firearm range training and practice facilities;
2 adding a new section to chapter 9.41 RCW; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** It is the intent of the legislature that in
5 the best interest of public safety, due to the advent of urban growth,
6 it is essential for facilities to be available to the general public
7 for safe utilization of firearms.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.41 RCW
9 to read as follows:

10 (1) Except as provided for in subsection (2) of this section, a
11 local governmental entity as defined by RCW 4.96.010 may not take
12 action to close a privately owned and operated firearm range training
13 and practice facility if such facility is in compliance with any laws
14 or ordinances that applied to the facility and its operation at the
15 time of construction or initial operation of the facility. As used in
16 this section, to "take action" means exercising any of the police or
17 other powers of the local governmental entity, including but not
18 limited to the following:

- 1 (a) Declaration or abatement of a nuisance;
- 2 (b) Establishment of nonconforming land uses;
- 3 (c) Enforcement of land use regulations regarding conditional or
- 4 special use requirements; or
- 5 (d) Condemnation proceedings.

6 (2)(a) A local governmental entity may take action to close a
7 privately owned and operated commercial firearm range training and
8 practice facility if the local governmental entity provides for the
9 availability of suitable land for the replacement of the closed
10 facility with another privately owned and operated commercial firearm
11 range training and practice facility of at least equal capacity. If a
12 local governmental entity's action results in the closure of more than
13 one firearm range training and practice facility, the local
14 governmental entity may provide for the availability of suitable land
15 for the replacement of the closed facilities with one or more firearm
16 range training and practice facilities, so long as the capacity of the
17 replacement facility or facilities is at least as large as the combined
18 capacities of the closed facilities. This subsection applies only to
19 commercially operated facilities that charge membership or admission
20 fees for the use of the facilities.

21 (b) As used in this section, "suitable land" means land that is
22 within the local governmental entity's jurisdiction, or within the
23 jurisdiction of an adjoining jurisdiction with which an interlocal
24 agreement has been reached, and that is:

25 (i) Not currently used as a firearm range training and practice
26 facility, but is available to an operator of such a facility at a cost,
27 including any necessary site preparation and development costs, not to
28 exceed the value of the facility or facilities to be closed;

29 (ii) Of sufficient size and of appropriate topography to
30 accommodate the required replacement facility;

31 (iii) Appropriately zoned for use as a firearm range training and
32 practice facility and in compliance with any other applicable federal,
33 state, or local land use law with respect to use as such a facility;
34 and

35 (iv) Reasonably equivalent to the location of the existing facility
36 or facilities with respect to accessibility and proximity for the users
37 of the existing facility or facilities, but in no event more than
38 fifteen miles from the location of any facility being replaced.

1 (c) A replacement firearm range training and practice facility must
2 be available for use by law enforcement personnel or the general public
3 to the same extent as the replaced facility or facilities.

4 (3) This section applies only to the closure of facilities that
5 were constructed and operational before January 1, 1994.

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