

SENATE BILL REPORT

SB 6267

As Reported by Senate Committee On:
Law & Justice, February 1, 2016

Title: An act relating to notice to the licensee before a concealed pistol license expires.

Brief Description: Concerning notice to the licensee before a concealed pistol license expires.

Sponsors: Senators Schoesler, Bailey, Warnick, Hobbs, Takko, Padden, Carlyle, Ericksen, Hargrove, Brown, Conway, Honeyford, Keiser, Dansel, Parlette, Hewitt, Pearson, Sheldon and Chase.

Brief History:

Committee Activity: Law & Justice: 1/25/16, 2/01/16 [DPS].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 6267 be substituted therefor, and the substitute bill do pass.

Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille, Pearson and Roach.

Staff: Aldo Melchiori (786-7439)

Background: The chief of police of a municipality or the sheriff of a county must, within 30 days after the filing of an application by any person, issue a concealed pistol license (CPL) that allows a person to carry a pistol concealed on his or her person within this state for five years from date of issue. If the applicant does not have a valid permanent Washington driver's license or Washington State identification card or has not been a resident of the state for the previous consecutive 90 days, the issuing authority has up to 60 days after the filing of the application to issue the CPL.

The CPL application must include the full name, residential address, telephone number at the option of the applicant, date and place of birth, race, gender, description, a complete set of fingerprints, signature of the applicant, and the applicant's driver's license number or state identification card number if used for identification in applying for the license. A signed application for a CPL constitutes a waiver of confidentiality and written request that the Department of Social and Health Services, mental health institutions, and other health care

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facilities release information relevant to the applicant's eligibility for a CPL to an inquiring court or law enforcement agency.

Whether the applicant is applying for a new CPL or to renew a CPL, the issuing authority must conduct a check through the national instant criminal background check system, the Washington State Patrol electronic database, the Department of Social and Health Services electronic database, and with other agencies or resources as appropriate, to determine whether the applicant is ineligible to possess a firearm, or is prohibited from possessing a firearm under federal law, and therefore ineligible for a concealed pistol license.

A \$32 nonrefundable fee is charged for the renewal of a CPL. No other branch or unit of government may impose any additional charges for the renewal. The renewal fee is distributed as follows:

- \$15 is paid to the state general fund;
- \$14 is paid to the issuing authority; and
- \$3 is paid to the firearms range account in the general fund.

A person may renew a CPL if the licensee applies for renewal within 90 days before or after the expiration date of the CPL. A renewed CPL takes effect on the expiration date of the prior CPL. A licensee renewing after the expiration date of the CPL must pay a late renewal penalty of \$10 in addition to the renewal fee. The late renewal fee is distributed as follows:

- \$3 is deposited in the state wildlife account and used exclusively first for the printing and distribution of a pamphlet on the legal limits of the use of firearms, firearms safety, and the preemptive nature of state law, and subsequently the support of volunteer instructors in the basic firearms safety training program conducted by the Department of Fish and Wildlife; and
- \$7 is paid to the issuing authority.

Any person who, as a member of the armed forces, including the National Guard and Armed Forces Reserves, who is unable to renew their CPL because of the person's assignment, reassignment, or deployment for out-of-state military service may renew his or her CPL within 90 days after the person returns to this state from out-of-state military service, if the person provides the following to the issuing authority no later than 90 days after the person's date of discharge or assignment, reassignment, or deployment back to this state: (a) a copy of the person's original order designating the specific period of assignment, reassignment, or deployment for out-of-state military service; and (b) if appropriate, a copy of the person's discharge or amended or subsequent assignment, reassignment, or deployment order back to this state. The CPL takes effect on the expiration date of the prior CPL. A licensee renewing after the expiration date of the CPL pays only the renewal fee and is not required to pay the late renewal penalty.

Summary of Bill (Recommended Substitute): At the time of application for a CPL, an applicant has the option of providing an email address. If, at the time of application, the person opts to provide an email address, the Department of Licensing must send notice of the CPL expiration to the licensee's email address within 60 days of the expiration of the CPL.

EFFECT OF CHANGES MADE BY LAW & JUSTICE COMMITTEE (Recommended Substitute): The Department of Licensing instead of the "licensing authority" must send the notice. It is clarified that the notice must be within 60 days of the expiration of the license.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Original Bill: PRO: Remembering to renew your CPL five years after you got it is difficult. This is a common-sense change to help people remain lawful. People should be notified just as they are for their driver's license. This is voluntary. Nobody is being asked to disclose their email address unless they want to.

OTHER: The Department of Licensing is the most appropriate agency to maintain these records and send notices. The DOL will figure out how to do this in a cost-effective manner.

Persons Testifying on Original Bill: PRO: Senator Schoesler, prime sponsor; Tom Kwieciak, NRA.

OTHER: James McMahon, WASPC; Tony Sermonti, Department of Licensing.

Persons Signed In To Testify But Not Testifying on Original Bill: No one.