

SENATE BILL REPORT

SB 5910

As Reported By Senate Committee On:
Judiciary, March 5, 2003

Title: An act relating to sport shooting ranges.

Brief Description: Protecting sport shooting ranges.

Sponsors: Senators Roach, McCaslin, Rasmussen, T. Sheldon, Stevens, Mulliken, Oke and Schmidt.

Brief History:

Committee Activity: Judiciary: 2/28/03, 3/5/03 [DPS].

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Bill No. 5910 be substituted therefor, and the substitute bill do pass.

Signed by Senators McCaslin, Chair; Esser, Vice Chair; Brandland, Hargrove, Johnson, Kline and Roach.

Staff: Aldo Melchiori (786-7439)

Background: Shooting ranges are used by members of the general public and by many law enforcement personnel for recreational shooting, as well as firearms training and safety training. Such ranges are owned and operated both publicly and privately.

Pressure from population growth, land development, and land use regulations have caused concern about the continued use of some sport shooting ranges. In some instances, ranges that have been operating for years are now finding themselves increasingly surrounded by residential neighbors who object to the noise and express concern over safety issues.

Summary of Substitute Bill: Operators of "sport shooting ranges" are given immunity from certain civil and criminal liabilities. Ranges that conform to existing laws and regulations must be permitted to continue to operate.

If a range was in compliance with whatever noise control ordinances were in effect when the range was built or first operated, then an operator or user of that range is immune from liability, or injunctive action, for noise pollution or nuisance. State agency rules limiting noise in the outdoor atmosphere do not apply to such a range.

If there has been no substantial change in the operation of a permanently located and improved range, then other property owners may not maintain an action based on nuisance against the range. Ranges in operation and in compliance with existing laws as of the effective date of the act must be allowed to continue in operation even though the range might become out of conformance with subsequent laws.

Local governments are not prohibited from regulating the location and construction of ranges after the effective date of the act.

Substitute Bill Compared to Original Bill: The limitation on civil liability for firearms safety instructors is eliminated. The section providing the assumption of risk by shooting range patrons is eliminated.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: People need safe places to practice. The bill will prevent harassment by people who purchase adjacent properties at a later time and then try to force out the shooting range.

Testimony Against: None.

Testified: Eugene Barton, Gig Harbor Sportsmen's Club (pro).