

SENATE BILL REPORT

SB 6860

As of February 8, 2008

Title: An act relating to prohibiting institutions of higher education from adopting rules concerning the possession of firearms.

Brief Description: Prohibiting institutions of higher education from adopting rules concerning the possession of firearms.

Sponsors: Senators Roach, Delvin and Stevens.

Brief History:

Committee Activity: Higher Education: 2/07/08.

SENATE COMMITTEE ON HIGHER EDUCATION

Staff: Aldo Melchiori (786-7439)

Background: The Constitution of the State of Washington provides that the "right of the individual citizen to bear arms in defense of himself, or the state, shall not be impaired . . ." A firearms regulation may be valid if it does not totally prohibit the possession and carrying of a weapon, is reasonably necessary to protect public safety or welfare, and is substantially related to a legitimate purpose. Every public institution of higher education in Washington currently has rules regarding the possession of firearms on their campus.

Except in a person's home or place of business, a person cannot carry a concealed pistol without a Concealed Pistol License (CPL). A CPL is valid for five years. A person is ineligible for a CPL if that person: (1) is otherwise ineligible to possess a firearm; (2) has been ordered to forfeit a firearm within one year before filing an application to carry a pistol concealed on his or her person; (3) is under 21 years of age; (4) is subject to a court order or injunction regarding firearms; (5) is free on bond or personal recognizance pending trial, appeal, or sentencing for a felony offense; (6) has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor; or (7) has had his or her CPL revoked.

Summary of Bill: Public institutions of higher education are prohibited from adopting rules that restrict or prohibit the possession of firearms, by persons licensed to carry a concealed pistol, on any institutionally owned or controlled lands, buildings, or facilities.

Appropriation: None.

Fiscal Note: Not requested.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: Gun restriction on campus is a failed policy. Criminals do not care that there are campus rules against firearms. Only mature students will be able to carry firearms on campus, because you cannot get a concealed pistol license if you are under 21 years of age. Virginia Tech was a gun-free zone, so only the victims were unarmed. Rules do not prevent violent crimes on campus, but guns can. Court orders do not protect people from violent crime. Concealed Pistol License holders are not criminals. When seconds count, people sometimes need access to firearms.

Persons Testifying: PRO: Senator Roach, prime sponsor; Brian Judy, NRA; JK Johnson, PSFT; Mathew Leung; Trip Volpe; Ethan Bratt; Kristen Gutterman, Students for Concealed Carry on Campus; Ron Berensen; Brick Loomis; Robert McKercher; Jim Hegna; Kevin Schumadeka, Firearm Restoration Project; Max Bruk; Jane (no last name given); Mark Taff, Citizen's Committee for the Right to Keep and Bear Arms; Roger Murray, Kenmore Range; Robert Hill.