

# HOUSE BILL REPORT

## ESSB 5690

---

---

**As Reported by House Committee On:**  
Civil Rights & Judiciary

**Title:** An act relating to firearms on the capitol campus for the sole purpose of organized memorial events.

**Brief Description:** Concerning firearms on the capitol campus for the sole purpose of organized memorial events.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Gildon, Nobles, Conway, Honeyford, McCune, Mullet, Padden, Randall, Rivers, Van De Wege and Wagoner).

**Brief History:**

**Committee Activity:**

Civil Rights & Judiciary: 2/16/22, 2/18/22 [DP].

**Brief Summary of Engrossed Substitute Bill**

- Creates an exception for a fully uniformed member of a color guard or honor guard that is affiliated with certain organizations from the prohibition on open carry of a firearm or other weapon on certain state capitol campus and legislative areas while such person is actively participating in, walking to, and leaving permitted events.
- Allows the Department of Enterprise Services to make rules necessary to administer and enforce the exception from the prohibition on open carry of a firearm or other weapon on certain state capitol campus and legislative areas.

---

### HOUSE COMMITTEE ON CIVIL RIGHTS & JUDICIARY

**Majority Report:** Do pass. Signed by 17 members: Representatives Hansen, Chair; Simmons, Vice Chair; Walsh, Ranking Minority Member; Gilday, Assistant Ranking

---

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

Minority Member; Graham, Assistant Ranking Minority Member; Abbarno, Davis, Entenman, Goodman, Kirby, Klippert, Orwall, Peterson, Thai, Valdez, Walen and Ybarra.

**Staff:** Matt Sterling (786-7289).

**Background:**

Open Carry of Firearms.

Generally, the open carry of a firearm is legal in the state. However, state law prohibits the open carry of a firearm or other weapon on certain state capitol campus and legislative areas. This prohibition on certain state capitol campus and legislative areas includes any buildings on the state capitol grounds, the west state capitol campus, any state legislative offices, and any location of a public legislative hearing or meeting during the hearing or meeting. This prohibition does not apply to the lawful concealed carry of a firearm by a person who has a valid concealed pistol license.

"Buildings on the state capitol grounds" include the following buildings: Legislative, Temple of Justice, John L. O'Brien, John A. Cherberg, Irving R. Newhouse, Joel M. Pritchard, Helen Sommers, Insurance, Governor's Mansion, Visitor Information Center, Carlyon House, Ayer House, General Administration, 1500 Jefferson, James M. Dolliver, Old Capitol, Capitol Court, State Archives, Natural Resources, Office Building #2, Highway-License, Transportation, Employment Security, Child Care Center, Union Avenue, Washington Street, Professional Arts, State Farm, and Powerhouse.

Exceptions to the prohibition on the open carry of firearms on the state capitol campus and legislative areas are provided for law enforcement personnel and members of the armed forces who carry a firearm or other weapon in the discharge of their official duty or traveling to or from official duty.

A person violating the prohibition on open carry of a firearm or other weapon on the state capitol campus and legislative areas is guilty of a gross misdemeanor which is by punishable by imprisonment in the county jail for a maximum term fixed by the court of up to 364 days or by a fine in an amount fixed by the court of not more than \$5,000, or both.

Supervision of Capitol Buildings and Grounds.

The Director of the Department of Enterprise Services has custody and control of the capitol buildings and grounds and may adopt rules to supervise and direct the proper care of the buildings and grounds.

---

**Summary of Bill:**

There is an exception from the prohibition on carrying a firearm or other weapon on the capitol campus for a fully uniformed member of a color guard or honor guard. For the

exception to apply, the color guard or honor guard must be affiliated with a veterans service organization that is recognized by the Washington Department of Veterans Affairs or affiliated with the national Sons of the American Revolution or Sons of Union Veterans of the Civil War. The exception applies while the member is actively participating in, walking to, and leaving permitted events.

The Director of the Department of Enterprise Services may make rules and orders necessary to administer and enforce the authorized exceptions from the prohibition on carrying a firearm or other weapon on certain state capitol campus and legislative areas.

---

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Honor ceremonies on the capitol campus are not allowed to have a color guard with the open carry of firearms because of an oversight in a bill passed last year. This needs to be corrected to allow those military honor ceremonies on the capitol campus with the restrictions of being uniformed, part of a permitted event, and only during the event. This bill is needed and should move forward, but these bills need to be done correctly the first time instead of the Legislature coming back repeatedly to correct bills.

(Opposed) None.

**Persons Testifying:** Senator Chris Gildon, prime sponsor; and Sharyn Hinchcliffe, Pink Pistols and Washington Civil Rights Association.

**Persons Signed In To Testify But Not Testifying:** Derrick Charlton; and Daniel Free.