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## Civil Rights & Judiciary Committee

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### HB 1178

**Brief Description:** Concerning local government authority to regulate firearms.

**Sponsors:** Representatives Hackney, Leavitt, Reed, Berry, Walen, Bateman, Ramel, Callan, Doglio, Macri, Duerr, Bergquist, Pollet, Santos and Ormsby.

#### Brief Summary of Bill

- Repeals the statute that preempts local jurisdictions from adopting laws relating to firearms.
- Provides that nothing in the chapter of law governing firearms modifies or limits the power of a city, municipality, or county to adopt laws relating to firearms that are in addition to or more restrictive than state law.
- Removes the provisions that limit local regulation of firearms.

**Hearing Date:** 1/17/23

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

#### Background:

Under the state Constitution, local jurisdictions have the authority to adopt and enforce public health, safety, and other laws unless in conflict with the general laws of the state. The law governing firearms contains a preemption section that expresses an intent to limit the authority of local jurisdictions to pass firearms laws. The law provides that the state fully occupies and preempts the entire field of firearms regulation in the state, and local jurisdictions only may enact laws relating to firearms that are specifically authorized by and consistent with state law.

Local jurisdictions are specifically authorized to regulate firearms in some circumstances. Local

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jurisdictions may enact laws restricting the discharge of firearms in locations where there is a reasonable likelihood that humans, domestic animals, or property will be jeopardized. Local jurisdictions also may enact laws restricting the possession of firearms in any stadium or convention center operated by the local jurisdiction, except that such restrictions may not apply to:

- a pistol in the possession of a person who has a valid concealed pistol license (CPL) or is exempt from CPL requirements; or
- any showing, demonstration, or lecture involving the exhibition of firearms.

In addition, local jurisdictions may regulate the areas in which firearms may be sold as long as businesses selling firearms are not treated more restrictively than other businesses located within the same zone. A local jurisdiction may restrict the location of a firearms business to not less than 500 feet from school grounds if the business has a storefront with business hours and posts advertisements or signs that firearms are for sale.

**Summary of Bill:**

The statute that preempts local governments from adopting laws relating to firearms is repealed. A new section is added stating that nothing in the chapter of law governing firearms affects, modifies, or limits the authority of cities, municipalities, or counties to adopt ordinances or regulations that are in addition to or more restrictive than state laws governing firearms.

Provisions setting forth specific areas where local governments are authorized to adopt laws relating to firearms are removed.

**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.