
Civil Rights & Judiciary Committee

HB 1152

Brief Description: Enhancing public safety by establishing secure storage requirements for firearms in vehicles and residences.

Sponsors: Representatives Doglio, Walen, Ryu, Ramel, Farivar, Berry, Leavitt, Alvarado, Mena, Duerr, Reed, Parshley, Fitzgibbon, Callan, Macri, Cortes, Obras, Gregerson, Simmons, Peterson, Rule, Street, Goodman, Wylie, Pollet, Nance, Berg, Davis, Ormsby, Lekanoff, Fosse, Salahuddin, Hill and Tharinger.

Brief Summary of Bill

- Establishes secure storage requirements for firearms stored or left in vehicles or residences, subject to various exceptions.
- Amends the duties of the Washington Office of Firearm Safety and Violence Prevention to include educating the public regarding secure firearm storage requirements, benefits, and options.

Hearing Date: 1/21/25

Staff: John Burzynski (786-7133).

Background:

Washington restricts storing or leaving firearms in specific locations.

Firearms in Vehicles.

No person may carry or place a loaded pistol in any vehicle unless the person has a license to carry a concealed pistol and: (1) the pistol is on the licensee's person; (2) the licensee is within the vehicle at all times that the pistol is there; or (3) the licensee is away from the vehicle and the pistol is locked within the vehicle and concealed from view from outside the vehicle.

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.

Additionally, no person 18 years of age or older who is in possession of an unloaded pistol may leave the unloaded pistol in a vehicle, unless the unloaded pistol is locked within the vehicle and concealed from view from outside the vehicle.

A violation of these requirements is a misdemeanor.

Firearms in Locations Accessible to Prohibited Persons.

A person who stores or leaves a firearm in a location where the person knows, or reasonably should know, that a prohibited person may gain access to the firearm is guilty of community endangerment if a prohibited person obtains access and possession of the firearm and causes specified harms. "Prohibited person" means a person who is prohibited from possessing a firearm under state or federal law.

A violation of this requirement is punishable as a gross misdemeanor if a prohibited person obtains access and possession of the firearm and: (1) causes the firearm to discharge; (2) carries, exhibits, or displays the firearm in a public place in a manner that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons; or (3) uses the firearm in the commission of a crime. A violation of this requirement is punishable as a class C felony if a prohibited person obtains access and possession of the firearm and causes personal injury or death with the firearm.

This restriction does not apply if: (1) the firearm was in secure gun storage or secured with a trigger lock or similar device; (2) in the case of a person who is prohibited on the basis of age, access to the firearm is with the lawful permission of the person's parent or guardian and supervised by an adult, or consistent with state law governing the possession of firearms by children; (3) the prohibited person obtains, or obtains and discharges, the firearm in a lawful act of self-defense; or (4) the prohibited person's access to the firearm was obtained by unlawful entry and the unauthorized access or theft of the firearm was reported to law enforcement within five days.

If a death or serious injury occurs as a result of an alleged violation of this restriction, the prosecuting attorney may decline to prosecute, even though technically sufficient evidence to prosecute exists, in situations where prosecution would serve no public purpose or would defeat the purpose of the law.

Summary of Bill:

Secure Storage of Firearms in Vehicles.

No person may store or leave a pistol, rifle, or shotgun in any vehicle unless: (1) it is stored unloaded in a qualifying container that is opaque, locked, and affixed within the vehicle; (2) the container is concealed from view from outside the vehicle; and (3) the vehicle is locked.

Pistols must be stored in hard-sided containers. Rifles and shotguns may be stored in either

hard-sided or soft-sided containers. Rifles and shotguns stored in a soft-sided container must also have a trigger lock or similar device designed to prevent unauthorized use or discharge installed on the firearm while it is stored in the soft-sided container.

Hard-sided containers exclude glove compartments and center consoles but include console vaults and other containers specifically designed to securely store firearms.

This restriction does not apply to qualifying: (1) antique firearms; (2) vehicles used for farm operations on private farmland; (3) vehicles used as a primary residence; (4) peace officers; (5) persons holding a valid hunting license who are engaged in lawful hunting; (6) persons engaged in hunter education training and outreach offered by the Washington Department of Fish and Wildlife; and (7) active members of the United States armed forces while on duty.

Secure Storage of Firearms in Residences.

No person may store or leave a firearm in their residence unless the firearm is securely stored whenever it is not being carried or readily controlled by that person or a lawful authorized user.

"Securely stored" means a firearm that is either: (1) locked or disabled using a tamper-resistant mechanical lock or other safety device properly engaged in order to render the firearm inoperable by any person other than the owner or other lawfully authorized user, and also kept out of plain sight; or (2) stored within a locked gun safe or similar locked container secure from access by unauthorized users.

"Carried or readily controlled" means: (1) the person or other lawful authorized user is carrying the firearm on their person; or (2) the person or other lawful authorized user is within close enough proximity to the firearm to readily prevent unauthorized users from gaining access to the firearm.

"Residence" means a building or vehicle that a person habitually uses as living quarters a majority of the time. This term includes nonpermanent or movable buildings or vehicles, such as motor homes, travel trailers, campers, and boats that are habitually used as living quarters a majority of the time.

This restriction does not apply to antique firearms.

Enforcement.

A violation of the firearm secure storage requirements for vehicles and residences is punishable as: (1) a class 1 civil infraction subject to a monetary penalty of up to \$1,000; (2) a misdemeanor when the violation allows a prohibited person to obtain access to and possession of a firearm; (3) a gross misdemeanor when the violation allows a prohibited person to take possession of a firearm and use that firearm in the commission of any crime; and (4) a class C felony when the violation allows a prohibited person to take possession of a firearm and use that firearm to cause personal injury or death to a third party.

"Prohibited person" means a person who is prohibited from possessing a firearm under state or federal law.

These restrictions do not apply if: (1) a prohibited person who is prohibited based on age gains access to a firearm with the lawful permission of the prohibited person's parent or guardian and is supervised by an adult, or is in accordance with state law governing the possession of firearms by children; or (2) a prohibited person obtains, or obtains and discharges, the firearm in lawful self-defense.

If a death or serious injury occurs as a result of an alleged violation of these requirements, the prosecuting attorney may decline to prosecute, even though technically sufficient evidence to prosecute exists, in situations where prosecution would serve no public purpose or would defeat the purpose of the law in question.

Education.

The duties of the Washington Office of Firearm Safety and Violence Prevention are modified to include educating the public regarding secure firearm storage requirements, benefits, and options.

Other Secure Storage Laws.

State law governing the carrying and placement of pistols in vehicles is amended to require compliance with the secure storage rules established in the bill.

State law governing storing or leaving of firearms in areas where a person knows or should know a prohibited person may gain access to the firearm is amended by adding an exception for firearms secured in compliance with the storage requirements established in the bill, and by removing an exception for firearms obtained by unlawful entry when the unauthorized access or theft is reported to law enforcement within five days.

Appropriation: None.

Fiscal Note: Requested on January 17, 2025.

Effective Date: The bill takes effect on January 1, 2026.