



Senate Bill 208 Sponsor Testimony

Senator Lou Terhar

House Federalism and Interstate Relations Committee

May 22, 2018

Chair Roegner, Vice Chair Becker, Ranking Member Leland, and members of the committee, thank you for allowing me the opportunity to testify today on behalf of Senate Bill 208.

Senate Bill 208 allows an off-duty police officer or BCI investigator to carry a weapon in establishments and venues open to the public. This includes hotels, restaurants, retail stores, office buildings, sports venues, and amusement parks. Only officers and investigators who carry in the line of duty are permitted under this bill to carry while off-duty.

The Federal law known as the Law Enforcement Officers Safety Act permits off-duty officers to carry in such venues as long as state law does not prohibit them from doing so, and this bill will give our off-duty officers that ability.

We added five amendments in Senate Judiciary Committee at the request of interested parties. Those changes include:

- Clarifying that undercover officers are permitted to carry a weapon when consuming alcohol in the scope of their duties
- Requiring an off-duty officer to carry officer identification when carrying a weapon (the federal law also requires this)
- Permitting a department to prohibit off-duty officers from carrying agency issued weapons
- Clarifying that property owners are not liable for incidents involving off-duty officers carrying under the scope of the bill, unless the property owners' conduct contributes to the incident

The final amendment was administrative in nature and requested by LSC.

The purpose of this bill is to enhance the safety of public places and provide for a faster response in the case of an active shooter situation. We have seen an unfortunate increase in gun activity in venues where the perpetrator is sure not no one else is armed. This Bill would provide for well-trained individuals to respond to these types of

incidents and force a perpetrator to factor of the possibility of armed resistance in what was once considered a “soft target”. Examples of situations we hope to prevent under this proposal include the Pulse Nightclub shooting in Orlando in 2016 and a similar incident in Paris at the Bataclan Theater in 2015. If we rely on police to protect us when on duty, then we should extend that commitment to those same officers when off-duty, and provide them the ability to protect themselves and serve others.

Thank you again for allowing me the opportunity to testify today on behalf of Senate Bill 208. I am happy to answer any questions you may have.

