

SHB 1054 - H AMD 175

By Representative Walsh

1 On page 2, line 19, after "(1)" insert "Except as provided in
2 subsections (2) and (3) of this section, a law enforcement agency may
3 not use O-chlorobenzylidene malononitrile (CS) or any similar chemical
4 irritant dispersed in the air for the purpose of producing temporary
5 physical discomfort or permanent injury to disperse an unlawful
6 gathering without the explicit approval of the chief law enforcement
7 officer of the law enforcement agency.

8 (2)"

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10 On page 2, line 21, after "use" strike "tear gas" and insert
11 "chloroacetophenone (CN)"

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13 On page 2, at the beginning of line 22, beginning with "(2)"
14 strike all material through "include" on line 26 and insert "(3) This
15 section does not apply to the acquisition and use of"

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EFFECT: Limits the ban on the acquisition and use of tear gas to chloroacetophenone (CN gas). Provides that law enforcement agencies may not use O-chlorobenzylidene malononitrile (CS gas) or any similar chemical irritant dispersed in the air for the purpose of producing temporary physical discomfort or permanent injury to disperse an unlawful gathering without the explicit approval of the chief law enforcement officer of the law enforcement agency (rather than banning the use of those chemical irritants as provided in the underlying bill). Retains the exemption for oleoresin capsicum (pepper spray) as provided in the underlying bill.

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