

1 AN ACT Relating to concealed pistol license training  
2 requirements; and reenacting and amending RCW 9.41.070.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 9.41.070 and 2018 c 226 s 2 and 2018 c 201 s 6002  
5 are each reenacted and amended to read as follows:

6 (1) The chief of police of a municipality or the sheriff of a  
7 county shall (~~within thirty days after the filing of an application~~  
8 ~~of any person,~~) issue a license to ((such)) any person submitting an  
9 application pursuant to the requirements of this section to carry a  
10 pistol concealed on his or her person within this state for five  
11 years from date of issue, for the purposes of protection or while  
12 engaged in business, sport, or while traveling. (~~However, if the~~  
13 ~~applicant does not have a valid permanent Washington driver's license~~  
14 ~~or Washington state identification card or has not been a resident of~~  
15 ~~the state for the previous consecutive ninety days, the issuing~~  
16 ~~authority shall have up to sixty days after the filing of the~~  
17 ~~application to issue a license.)) The issuing authority shall not  
18 refuse to accept completed applications for concealed pistol licenses  
19 during regular business hours and must issue a license or denial:~~

20 (a) Within thirty days of the date the application was filed; or

1 (b) Within sixty days of the date the application was filed if  
2 the applicant does not have a valid permanent Washington driver's  
3 license or Washington state identification card or has not been a  
4 resident of the state for the previous consecutive ninety days.

5 ~~((The applicant's constitutional right to bear arms))~~ (2) An  
6 application for a concealed pistol license shall not be denied,  
7 unless the person:

8 (a) ~~((He or she))~~ Is ineligible to possess a firearm under the  
9 provisions of RCW 9.41.040 or 9.41.045, or is prohibited from  
10 possessing a firearm under federal law;

11 (b) ~~((The applicant's))~~ Has a concealed pistol license that is in  
12 a revoked status;

13 (c) ~~((He or she))~~ Is under twenty-one years of age;

14 (d) ~~((He or she))~~ Is subject to a court order or injunction  
15 regarding firearms pursuant to chapter~~((s))~~ 7.90, 7.92, or 7.94 RCW,  
16 or RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050,  
17 26.09.060, 26.10.040, 26.10.115, ~~((26.26.130))~~ 26.26B.020, 26.50.060,  
18 26.50.070, or 26.26.590;

19 (e) ~~((He or she))~~ Is free on bond or personal recognizance  
20 pending trial, appeal, or sentencing for a felony offense;

21 (f) ~~((He or she))~~ Has an outstanding warrant for his or her  
22 arrest from any court of competent jurisdiction for a felony or  
23 misdemeanor; or

24 (g) ~~((He or she))~~ Has been ordered to forfeit a firearm under RCW  
25 9.41.098(1)(e) within one year before filing an application to carry  
26 a pistol concealed on his or her person.

27 (3) In addition to the requirements of subsection (1) of this  
28 section, the chief of police or sheriff shall not issue a license to  
29 the applicant unless the applicant provides proof that he or she has  
30 completed a recognized firearms safety training program within the  
31 last five years that, at a minimum, includes eight hours of  
32 instruction on:

33 (a) Basic firearms safety rules;

34 (b) Firearms and children, including safe storage of firearms and  
35 talking to children about firearms safety;

36 (c) Firearms and suicide prevention;

37 (d) Safe storage of firearms to prevent unauthorized access and  
38 use;

39 (e) Safe handling of firearms;

1 (f) State and federal firearms laws, including prohibited  
2 firearms transfers;

3 (g) State laws pertaining to the use of deadly force for self-  
4 defense;

5 (h) Techniques for avoiding a criminal attack and how to manage a  
6 violent confrontation, including conflict resolution; and

7 (i) Live-fire shooting exercises on a firing range that include a  
8 demonstration by the applicant of safe handling of, and shooting  
9 proficiency with, each firearm that the applicant is applying to be  
10 licensed to carry.

11 The training must be sponsored by a federal, state, county, or  
12 municipal law enforcement agency, a college, a nationally recognized  
13 organization that customarily offers firearms training, or a firearms  
14 training school with instructors certified by a nationally recognized  
15 organization that customarily offers firearms training. The proof of  
16 training must be in the form of a certification that states under the  
17 penalty of perjury the training included the minimum requirements.

18 (4) No person convicted of a felony may have his or her right to  
19 possess firearms restored or his or her privilege to carry a  
20 concealed pistol restored, unless the person has been granted relief  
21 from disabilities by the attorney general under 18 U.S.C. Sec.  
22 925(c), or RCW 9.41.040 (3) or (4) applies.

23 ~~((+2))~~ (5)(a) The issuing authority shall conduct a check  
24 through the national instant criminal background check system, the  
25 Washington state patrol electronic database, the health care  
26 authority electronic database, and with other agencies or resources  
27 as appropriate, to determine whether the applicant is ineligible  
28 under RCW 9.41.040 or 9.41.045 to possess a firearm, or is prohibited  
29 from possessing a firearm under federal law, and therefore ineligible  
30 for a concealed pistol license.

31 (b) The issuing authority shall deny a ~~((permit))~~ license to  
32 anyone who is found to be prohibited from possessing a firearm under  
33 federal or state law.

34 (c) This subsection applies whether the applicant is applying for  
35 a new concealed pistol license or to renew a concealed pistol  
36 license.

37 ~~((+3))~~ (6) Any person whose firearms rights have been restricted  
38 and who has been granted relief from disabilities by the attorney  
39 general under 18 U.S.C. Sec. 925(c) or who is exempt under 18 U.S.C.  
40 Sec. 921(a)(20)(A) shall have his or her right to acquire, receive,

1 transfer, ship, transport, carry, and possess firearms in accordance  
2 with Washington state law restored except as otherwise prohibited by  
3 this chapter.

4 ~~((4) The license application shall bear the full name,  
5 residential address, telephone number at the option of the applicant,  
6 email address at the option of the applicant, date and place of  
7 birth, race, gender, description, a complete set of fingerprints, and  
8 signature of the licensee, and the licensee's driver's license number  
9 or state identification card number if used for identification in  
10 applying for the license.))~~

11 (7) An applicant for a concealed pistol license must submit to  
12 the licensing authority:

13 (a) A completed license application as provided in subsection (8)  
14 of this section;

15 (b) A complete set of fingerprints to be forwarded to the  
16 Washington state patrol;

17 (c) At the request of the licensing authority, a photograph of  
18 the applicant;

19 (d) Evidence of completion of a firearms safety training program  
20 as provided in this section; and

21 (e) The licensing fee as provided in subsections 12 through 15 of  
22 this section.

23 (8) (a) An application for a concealed pistol license must include  
24 the applicant's:

25 (i) Full name and place and date of birth;

26 (ii) Residential address;

27 (iii) Telephone number and email address, at the option of the  
28 applicant;

29 (iv) Driver's license number or state identification card number  
30 if used for identification in applying for the license;

31 (v) Physical description; and

32 (vi) Signature.

33 (b) A signed application for a concealed pistol license shall  
34 constitute a waiver of confidentiality and written request that the  
35 health care authority, mental health institutions, and other health  
36 care facilities release information relevant to the applicant's  
37 eligibility for a concealed pistol license to an inquiring court or  
38 law enforcement agency.

1       (~~The application for an original license shall include a~~  
2 ~~complete set of fingerprints to be forwarded to the Washington state~~  
3 ~~patrol.~~

4       The license and application shall contain a warning substantially  
5 as follows:

6       CAUTION: Although state and local laws do not differ, federal  
7 law and state law on the possession of firearms differ. If  
8 you are prohibited by federal law from possessing a firearm,  
9 you may be prosecuted in federal court. A state license is  
10 not a defense to a federal prosecution.)

11       (c) The application must contain questions about the applicant's  
12 eligibility under RCW 9.41.040 and federal law to possess a pistol,  
13 the applicant's place of birth, and whether the applicant is a United  
14 States citizen. If the applicant is not a United States citizen, the  
15 applicant must provide the applicant's country of citizenship, United  
16 States issued alien number or admission number, and the basis on  
17 which the applicant claims to be exempt from federal prohibitions on  
18 firearm possession by aliens. The applicant shall not be required to  
19 produce a birth certificate or other evidence of citizenship. A  
20 person who is not a citizen of the United States shall, if  
21 applicable, meet the additional requirements of RCW 9.41.173 and  
22 produce proof of compliance with RCW 9.41.173 upon application.

23       (9) (a) A concealed pistol license must be issued in triplicate or  
24 in a form prescribed by the department of licensing and may include a  
25 photograph of the licensee. The original must be delivered to the  
26 licensee, the duplicate must be sent within seven days to the  
27 director of licensing, and the triplicate must be preserved for six  
28 years by the authority issuing the license.

29       (b) The license shall contain a description of the major  
30 differences between state and federal law and an explanation of the  
31 fact that local laws and ordinances on firearms are preempted by  
32 state law and must be consistent with state law.

33       (~~The application shall contain questions about the applicant's~~  
34 ~~eligibility under RCW 9.41.040 and federal law to possess a pistol,~~  
35 ~~the applicant's place of birth, and whether the applicant is a United~~  
36 ~~States citizen. If the applicant is not a United States citizen, the~~  
37 ~~applicant must provide the applicant's country of citizenship, United~~  
38 ~~States issued alien number or admission number, and the basis on~~  
39 ~~which the applicant claims to be exempt from federal prohibitions on~~

~~1 firearm possession by aliens. The applicant shall not be required to  
2 produce a birth certificate or other evidence of citizenship. A  
3 person who is not a citizen of the United States shall, if  
4 applicable, meet the additional requirements of RCW 9.41.173 and  
5 produce proof of compliance with RCW 9.41.173 upon application. The  
6 license may be in triplicate or in a form to be prescribed by the  
7 department of licensing.~~

~~8 A photograph of the applicant may be required as part of the  
9 application and printed on the face of the license.~~

~~10 The original thereof shall be delivered to the licensee, the  
11 duplicate shall within seven days be sent to the director of  
12 licensing and the triplicate shall be preserved for six years, by the  
13 authority issuing the license.))~~

14 (10) The application and license must contain a warning  
15 substantially as follows:

16 CAUTION: Although state and local laws do not differ, federal  
17 law and state law on the possession of firearms differ. If  
18 you are prohibited by federal law from possessing a firearm,  
19 you may be prosecuted in federal court. A state license is  
20 not a defense to a federal prosecution.

21 (11) The department of licensing shall make available to law  
22 enforcement and corrections agencies, in an on-line format, all  
23 information received under this subsection.

24 ~~((+5))~~ (12) The nonrefundable fee, paid upon application, for  
25 the original five-year license shall be thirty-six dollars plus  
26 additional charges imposed by the federal bureau of investigation  
27 that are passed on to the applicant. No other state or local branch  
28 or unit of government may impose any additional charges on the  
29 applicant for the issuance of the license.

30 The fee shall be distributed as follows:

31 (a) Fifteen dollars shall be paid to the state general fund;

32 (b) Four dollars shall be paid to the agency taking the  
33 fingerprints of the person licensed;

34 (c) Fourteen dollars shall be paid to the issuing authority for  
35 the purpose of enforcing this chapter;

36 (d) Two dollars and sixteen cents to the firearms range account  
37 in the general fund; and

38 (e) Eighty-four cents to the concealed pistol license renewal  
39 notification account created in RCW 43.79.540.

1       (~~(6)~~) (13) The nonrefundable fee for the renewal of such  
2 license shall be thirty-two dollars. No other branch or unit of  
3 government may impose any additional charges on the applicant for the  
4 renewal of the license.

5       The renewal fee shall be distributed as follows:

6       (a) Fifteen dollars shall be paid to the state general fund;

7       (b) Fourteen dollars shall be paid to the issuing authority for  
8 the purpose of enforcing this chapter;

9       (c) Two dollars and sixteen cents to the firearms range account  
10 in the general fund; and

11       (d) Eighty-four cents to the concealed pistol license renewal  
12 notification account created in RCW 43.79.540.

13       (~~(7)~~) (14) The nonrefundable fee for replacement of lost or  
14 damaged licenses is ten dollars to be paid to the issuing authority.

15       (~~(8)~~) (15) Payment shall be by cash, check, or money order at  
16 the option of the applicant. Additional methods of payment may be  
17 allowed at the option of the issuing authority.

18       (~~(9)~~) (16) (a) A licensee may renew a license if the licensee  
19 applies for renewal within ninety days before or after the expiration  
20 date of the license. A license so renewed shall take effect on the  
21 expiration date of the prior license. A licensee renewing after the  
22 expiration date of the license must pay a late renewal penalty of ten  
23 dollars in addition to the renewal fee specified in subsection  
24 (~~(6)~~) (13) of this section. The fee shall be distributed as  
25 follows:

26       (i) Three dollars shall be deposited in the state wildlife  
27 account and used exclusively first for the printing and distribution  
28 of a pamphlet on the legal limits of the use of firearms, firearms  
29 safety, and the preemptive nature of state law, and subsequently the  
30 support of volunteer instructors in the basic firearms safety  
31 training program conducted by the department of fish and wildlife.  
32 The pamphlet shall be given to each applicant for a license; and

33       (ii) Seven dollars shall be paid to the issuing authority for the  
34 purpose of enforcing this chapter.

35       (b) Beginning with concealed pistol licenses that expire on or  
36 after August 1, 2018, the department of licensing shall mail a  
37 renewal notice approximately ninety days before the license  
38 expiration date to the licensee at the address listed on the  
39 concealed pistol license application, or to the licensee's new  
40 address if the licensee has notified the department of licensing of a

1 change of address. Alternatively, if the licensee provides an email  
2 address at the time of license application, the department of  
3 licensing may send the renewal notice to the licensee's email  
4 address. The notice must contain the date the concealed pistol  
5 license will expire, the amount of renewal fee, the penalty for late  
6 renewal, and instructions on how to renew the license.

7 ~~((10))~~ (17) Notwithstanding the requirements of subsections (1)  
8 through ~~((9))~~ (16) of this section, the chief of police of the  
9 municipality or the sheriff of the county of the applicant's  
10 residence may issue a temporary emergency license for good cause  
11 pending review under subsection (1) of this section. However, a  
12 temporary emergency license issued under this subsection shall not  
13 exempt the holder of the license from any records check requirement.  
14 Temporary emergency licenses shall be easily distinguishable from  
15 regular licenses.

16 ~~((11))~~ (18) A political subdivision of the state shall not  
17 modify the requirements of this section or chapter, nor may a  
18 political subdivision ask the applicant to voluntarily submit any  
19 information not required by this section.

20 ~~((12))~~ (19) A person who knowingly makes a false statement  
21 regarding citizenship or identity on an application for a concealed  
22 pistol license is guilty of false swearing under RCW 9A.72.040. In  
23 addition to any other penalty provided for by law, the concealed  
24 pistol license of a person who knowingly makes a false statement  
25 shall be revoked, and the person shall be permanently ineligible for  
26 a concealed pistol license.

27 ~~((13))~~ (20) A person may apply for a concealed pistol license:

28 (a) To the municipality or to the county in which the applicant  
29 resides if the applicant resides in a municipality;

30 (b) To the county in which the applicant resides if the applicant  
31 resides in an unincorporated area; or

32 (c) Anywhere in the state if the applicant is a nonresident.

33 ~~((14))~~ (21) Any person who, as a member of the armed forces,  
34 including the national guard and armed forces reserves, is unable to  
35 renew his or her license under subsections ~~((6))~~ (13) and ~~((9))~~  
36 (16) of this section because of the person's assignment,  
37 reassignment, or deployment for out-of-state military service may  
38 renew his or her license within ninety days after the person returns  
39 to this state from out-of-state military service, if the person  
40 provides the following to the issuing authority no later than ninety

1 days after the person's date of discharge or assignment,  
2 reassignment, or deployment back to this state: (a) A copy of the  
3 person's original order designating the specific period of  
4 assignment, reassignment, or deployment for out-of-state military  
5 service, and (b) if appropriate, a copy of the person's discharge or  
6 amended or subsequent assignment, reassignment, or deployment order  
7 back to this state. A license so renewed under this subsection  
8 (~~(14)~~) shall take effect on the expiration date of the prior  
9 license. A licensee renewing after the expiration date of the license  
10 under this subsection (~~(14)~~) shall pay only the renewal fee  
11 specified in subsection (~~(6)~~) (13) of this section and shall not be  
12 required to pay a late renewal penalty in addition to the renewal  
13 fee.

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