

LSW

By Representative Walsh

**HB 1152** - H COMM AMD

By Committee on Civil Rights & Judiciary

1 Strike everything after the enacting clause and insert the  
2 following:

3  
4 "NEW SECTION. **Sec. 1.** A new section is added to chapter 38.04 RCW  
5 to read as follows:

6 (1) All persons in this state who own a vehicle or occupy a  
7 residence shall be required to obtain, and keep in good working order,  
8 a firearm, as that term is defined in RCW 9.41.010, which must be  
9 stored in each person's vehicle or residence in accordance with  
10 section 2 of this act.

11 (2) This section does not apply to any person who cannot lawfully  
12 purchase or possess a firearm under local, state, or federal law, or  
13 any household member of such persons.

14 (3) A violation of this section is a class 1 civil infraction and  
15 subject to a monetary penalty of up to \$1,000.

16  
17 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.41  
18 RCW to read as follows:

19 (1) **Secure storage of firearms in vehicles.**

20 (a) A person shall not store or leave a pistol in any vehicle  
21 unless (i) the pistol is stored unloaded in a container that is  
22 opaque, locked, hard-sided, and affixed within the vehicle, (ii) the  
23 container is concealed from view from outside the vehicle, and (iii)  
24 the vehicle is locked.

25 (b) A person shall not store or leave a rifle or shotgun in any  
26 vehicle unless (i) the rifle or shotgun is stored unloaded in a  
27 container that is opaque, locked, hard-sided or soft-sided, and

1 affixed within the vehicle, (ii) the container is concealed from  
2 view from outside the vehicle, and (iii) the vehicle is locked.

3 (c) A rifle or shotgun stored in a soft-sided container in a  
4 vehicle in accordance with this subsection must also have a trigger  
5 lock or similar device that is designed to prevent the unauthorized  
6 use or discharge of the firearm installed on the rifle or shotgun  
7 while the firearm is stored in a soft-sided container.

8 (d) For the purpose of this subsection, a hard-sided container  
9 excludes a glove compartment or center console but includes a  
10 console vault or other container specifically designed to securely  
11 store firearms.

12 (e) This subsection does not apply to:

13 (i) Antique firearms;

14 (ii) Storing or leaving a firearm in a vehicle used for farm  
15 operations that is on the person's private farmland, including a  
16 leased farm, as "farm" and "farmland" are defined in RCW 7.48.310;

17 (iii) A person who lives in a vehicle, as "vehicle" is defined  
18 in RCW 46.70.011, uses that vehicle as their primary residence, and  
19 stores or leaves their own firearms in that vehicle. For the purpose  
20 of this subsection, a person uses their vehicle as their primary  
21 residence when the person habitually uses the vehicle as living  
22 quarters a majority of the time and conducts activities in the  
23 vehicle consistent with the common understanding of residing, such  
24 as sleeping, eating, and keeping personal belongings. A person who  
25 lives in a vehicle is subject to all secure storage requirements for  
26 firearms in residences;

27 (iv) Federal peace officers, general authority Washington peace  
28 officers, limited authority Washington peace officers, and specially  
29 commissioned Washington peace officers as those terms are defined in  
30 RCW 10.93.020;

31 (v) A person who holds a valid Washington or out-of-state  
32 hunting license and who is engaged in lawful hunting activities;

33 (vi) A person engaged in hunter education training and outreach  
34 offered by the Washington department of fish and wildlife; and

1 (vii) An active member of the United States armed forces while  
2 on duty.

3 (2) **Secure storage of firearms in residences.**

4 (a) A person shall not store or leave a firearm in their  
5 residence unless the firearm is securely stored whenever it is not  
6 being carried or readily controlled by that person or another lawful  
7 authorized user.

8 (b) For the purpose of this section, a firearm is "securely  
9 stored" if it is either: (i) Locked or disabled using a tamper-  
10 resistant mechanical lock or other safety device properly engaged in  
11 order to render the firearm inoperable by any person other than the  
12 owner or other lawfully authorized user, and also kept out of plain  
13 sight; or (ii) stored within a locked gun safe or similar locked  
14 container secure from access by unauthorized users.

15 (c) For the purpose of this section, "carried or readily  
16 controlled means" means either: (i) The person or other lawful  
17 authorized user is carrying the firearm on their person; or (ii) the  
18 person or other lawful authorized user is within close enough  
19 proximity to the firearm to readily prevent unauthorized users from  
20 gaining access to the firearm.

21 (d) For the purpose of this section "residence" means a building  
22 or vehicle that a person habitually uses as living quarters a  
23 majority of the time. "Uses as living quarters" means to conduct  
24 activities consistent with the common understanding of residing,  
25 such as sleeping; eating; keeping personal belongings; receiving  
26 mail; and paying utilities, rent, or mortgage. A nonpermanent or  
27 movable building or vehicle including, but not limited to, a motor  
28 home, travel trailer, camper, or boat, may qualify as a residence  
29 provided it is habitually used as living quarters a majority of the  
30 time.

31 (e) This subsection does not apply to antique firearms.

32 (3) **Enforcement.**

33 (a)(i) A violation of this section is a class 1 civil infraction  
34 and subject to a monetary penalty of up to \$1,000.

1 (ii) A violation of this section is a misdemeanor when the  
2 violation allows a prohibited person to obtain access to and  
3 possession of a firearm.

4 (iii) A violation of this section is a gross misdemeanor when  
5 the violation allows a prohibited person to take possession of a  
6 firearm and use that firearm in the commission of any crime.

7 (iv) A violation of this section is a class C felony when the  
8 violation allows a prohibited person to take possession of a firearm  
9 and use that firearm to cause personal injury or death to a third  
10 party.

11 (b) For the purpose of this section, "prohibited person" means a  
12 person who is prohibited from possessing a firearm under state or  
13 federal law.

14 (c) This section does not apply if:

15 (i) In the case of a person who is a prohibited person on the  
16 basis of the person's age, access to the firearm is with the lawful  
17 permission of the prohibited person's parent or guardian and  
18 supervised by an adult, or is in accordance with RCW 9.41.042;

19 (ii) The prohibited person obtains, or obtains and discharges,  
20 the firearm in a lawful act of self-defense.

21 (d) If a death or serious injury occurs as a result of an  
22 alleged violation of this section, the prosecuting attorney may  
23 decline to prosecute, even though technically sufficient evidence to  
24 prosecute exists, in situations where prosecution would serve no  
25 public purpose or would defeat the purpose of the law in question.

26

27 **Sec. 3.** RCW 43.330A.020 and 2020 c 313 s 3 are each amended to  
28 read as follows:

29 (1) The Washington office of firearm safety and violence  
30 prevention is created within the department for the purposes of  
31 coordinating and promoting effective state and local efforts to  
32 reduce firearm violence.

33 (2) The duties of the office include, but are not limited to:

34

1 (a) Working with law enforcement agencies, county prosecutors,  
2 researchers, and public health agencies throughout the state to  
3 identify and improve upon available data sources, data collection  
4 methods, and data-sharing mechanisms. The office will also identify  
5 gaps in available data needed for ongoing analysis, policy  
6 development, and the implementation of evidence-based firearm  
7 violence intervention and prevention strategies;

8 (b) Researching, identifying, and recommending legislative  
9 policy options to promote the implementation of statewide evidence-  
10 based firearm violence intervention and prevention strategies;

11 (c) Researching, identifying, and applying for nonstate funding  
12 to aid in the research, analysis, and implementation of statewide  
13 firearm violence intervention and prevention strategies;

14 (d) Working with the office of crime (~~(victims)~~) victims  
15 advocacy to identify opportunities to better support victims of  
16 firearm violence, a population that is currently underrepresented  
17 among recipients of victim services;

18 (e) (~~(Contract [Contracting])~~) Contracting for a statewide  
19 helpline, counseling, and referral services for victims, friends,  
20 and family members impacted by gun violence and community  
21 professionals and providers who engage with them;

22 (f) (~~(Contract [Contracting])~~) Contracting with the University  
23 of Washington to develop a best practice guide for therapy for gun  
24 violence victims;

25 (g) Administering the Washington firearm violence intervention  
26 and prevention grant program as outlined in RCW 43.330A.050;

27 (h) Educating the public regarding secure firearm storage  
28 requirements, benefits, and options.

29 (3) The office shall report to the appropriate legislative  
30 policy committees by December 1st every odd-numbered year on its  
31 progress and findings in analyzing data, developing strategies to  
32 prevent firearm violence, and recommendations for additional  
33 legislative policy options. The first report must be submitted by  
34 December 1, 2021.

1       **Sec. 4.** RCW 9.41.050 and 2003 c 53 s 28 are each amended to  
2 read as follows:

3       (1)(a) Except in the person's place of abode or fixed place of  
4 business, a person shall not carry a pistol concealed on his or her  
5 person without a license to carry a concealed pistol.

6       (b) Every licensee shall have his or her concealed pistol  
7 license in his or her immediate possession at all times that he or  
8 she is required by this section to have a concealed pistol license  
9 and shall display the same upon demand to any police officer or to  
10 any other person when and if required by law to do so. Any violation  
11 of this subsection (1)(b) shall be a class 1 civil infraction under  
12 chapter 7.80 RCW and shall be punished accordingly pursuant to  
13 chapter 7.80 RCW and the infraction rules for courts of limited  
14 jurisdiction.

15       (2)(a) A person shall not carry or place a loaded pistol in any  
16 vehicle unless the person has a license to carry a concealed pistol  
17 and: (i) The pistol is on the licensee's person, (ii) the licensee  
18 is within the vehicle at all times that the pistol is there, or  
19 (iii) the ~~((licensee is away from the vehicle and the pistol is~~  
20 ~~locked within the vehicle and concealed from view from outside the~~  
21 ~~vehicle))~~ pistol is securely stored in accordance with section 2 of  
22 this act.

23       (b) A violation of this subsection is a misdemeanor.

24       ~~(3)((a) A person at least eighteen years of age who is in~~  
25 ~~possession of an unloaded pistol shall not leave the unloaded pistol~~  
26 ~~in a vehicle unless the unloaded pistol is locked within the vehicle~~  
27 ~~and concealed from view from outside the vehicle.~~

28       ~~(b) A violation of this subsection is a misdemeanor.~~

29       ~~(4))~~ Nothing in this section permits the possession of firearms  
30 illegal to possess under state or federal law.

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32       **Sec. 5.** RCW 9.41.360 and 2019 c 3 s 5 are each amended to read  
33 as follows:

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1 (1) A person who stores or leaves a firearm in a location where  
2 the person knows, or reasonably should know, that a prohibited  
3 person may gain access to the firearm:

4 (a) Is guilty of community endangerment due to unsafe storage of  
5 a firearm in the first degree if a prohibited person obtains access  
6 and possession of the firearm and causes personal injury or death  
7 with the firearm; or

8 (b) Is guilty of community endangerment due to unsafe storage of  
9 a firearm in the second degree if a prohibited person obtains access  
10 and possession of the firearm and:

11 (i) Causes the firearm to discharge;

12 (ii) Carries, exhibits, or displays the firearm in a public  
13 place in a manner that either manifests an intent to intimidate  
14 another or that warrants alarm for the safety of other persons; or

15 (iii) Uses the firearm in the commission of a crime.

16 (2)(a) Community endangerment due to unsafe storage of a firearm  
17 in the first degree is a class C felony punishable according to  
18 chapter 9A.20 RCW.

19 (b) Community endangerment due to unsafe storage of a firearm in  
20 the second degree is a gross misdemeanor punishable according to  
21 chapter 9A.20 RCW.

22 (3) Subsection (1) of this section does not apply if:

23 (a) The firearm was in secure gun storage, or secured with a  
24 trigger lock or similar device that is designed to prevent the  
25 unauthorized use or discharge of the firearm, or secured in  
26 accordance with section 2 of this act;

27 (b) In the case of a person who is a prohibited person on the  
28 basis of the person's age, access to the firearm is with the lawful  
29 permission of the prohibited person's parent or guardian and  
30 supervised by an adult, or is in accordance with RCW 9.41.042;

31 (c) The prohibited person obtains, or obtains and discharges,  
32 the firearm in a lawful act of self-defense; or

33 ~~((d) The prohibited person's access to the firearm was obtained~~  
34 ~~as a result of an unlawful entry, provided that the unauthorized~~

1 ~~access or theft of the firearm is reported to a local law~~  
2 ~~enforcement agency in the jurisdiction in which the unauthorized~~  
3 ~~access or theft occurred within five days of the time the victim of~~  
4 ~~the unlawful entry knew or reasonably should have known that the~~  
5 ~~firearm had been taken.))~~

6 (4) If a death or serious injury occurs as a result of an  
7 alleged violation of subsection (1)(a) of this section, the  
8 prosecuting attorney may decline to prosecute, even though  
9 technically sufficient evidence to prosecute exists, in situations  
10 where prosecution would serve no public purpose or would defeat the  
11 purpose of the law in question.

12 (5) For the purposes of this section, "prohibited person" means  
13 a person who is prohibited from possessing a firearm under state or  
14 federal law.

15 (6) Nothing in this section mandates how or where a firearm must  
16 be stored.

17

18 NEW SECTION. **Sec. 6.** If any provision of this act or its  
19 application to any person or circumstance is held invalid, the  
20 remainder of the act or the application of the provision to other  
21 persons or circumstances is not affected.

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23 NEW SECTION. **Sec. 7.** This act takes effect January 1, 2026."

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EFFECT: Retains the entirety of the underlying bill and adds a new section requiring all Washington residents who own vehicles or occupy residences to obtain, and keep in good working order, a firearm, which must be stored in accordance with the act, with an exception for persons who cannot lawfully purchase or possess firearms and their household members.

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