

Proposed Second Substitute HB 1163 (H-1482.2)

By Rep. Macri

An Act Relating to enhancing requirements relating to the purchase, transfer, and possession of firearms by requiring a permit to purchase firearms, specifying requirements and standards for firearms safety training programs and issuance of concealed pistol licenses, specifying circumstances where a firearm transfer may be delayed, requiring recordkeeping for all firearm transfers, and establishing reporting requirements regarding permits to purchase firearms and concealed pistol licenses.

The Proposed Second Substitute makes the following changes:

- Provides that any amounts appropriated for the purposes of initial establishment of the permit to purchase firearms program must be reimbursed from the State Firearms Background Check System Account by June 30, 2028;
- Retains current law that the exemption from firearm safety training requirements for limited authority, specially commissioned, and federal peace officers applies only if such officers as a normal part of their duties have arrest powers and carry firearms;
- Provides that a notice of a denial or revocation of a concealed pistol license (CPL) must cite the specific statute under which the denial or revocation is made, and any information disclosed regarding the grounds for the denial or revocation must be consistent with rules governing the dissemination of criminal history information;
- Requires the notice of a denial or revocation of a CPL to include information on the procedure for an applicant or license holder to request that the law enforcement agency reconsider the denial or revocation, and provides that the person has the right to seek judicial review in superior court if, after reconsideration, the law enforcement agency upholds the denial or revocation; and
- Gives the Washington State Patrol authority to adopt rules to implement the permit to purchase firearms program.

Committee: House Appropriations Committee

Staff: Edie Adams

Draft: H-1482.2/25

BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: H-1482.2/25 2nd draft

ATTY/TYPIST: RR:jcm

BRIEF DESCRIPTION: Enhancing requirements relating to the purchase,
transfer, and possession of firearms.

1 AN ACT Relating to enhancing requirements relating to the
2 purchase, transfer, and possession of firearms by requiring a permit
3 to purchase firearms, specifying requirements and standards for
4 firearms safety training programs and issuance of concealed pistol
5 licenses, specifying circumstances where a firearm transfer may be
6 delayed, requiring recordkeeping for all firearm transfers, and
7 establishing reporting requirements regarding permits to purchase
8 firearms and concealed pistol licenses; amending RCW 9.41.090,
9 9.41.1132, 43.43.590, 9.41.047, 9.41.070, 9.41.075, 9.41.097,
10 9.41.0975, 9.41.110, 9.41.129, 9.41.270, 7.105.350, and 43.43.580;
11 adding new sections to chapter 9.41 RCW; adding a new section to
12 chapter 43.43 RCW; creating a new section; and providing an effective
13 date.

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

15 **Sec. 1.** RCW 9.41.090 and 2023 c 161 s 1 are each amended to read
16 as follows:

17 (1) In addition to the other requirements of this chapter, no
18 dealer may deliver a firearm to the purchaser or transferee thereof
19 until:

20 (a) The purchaser (~~provides proof of completion of a recognized~~
21 ~~firearm safety training program within the last five years that~~

1 ~~complies with the requirements in RCW 9.41.1132, or proof that the~~
2 ~~purchaser is exempt from the training requirement)) or transferee~~
3 produces a valid permit to purchase firearms under section 2 of this
4 act;

5 (b) The dealer is notified by the Washington state patrol
6 firearms background check program that the purchaser or transferee is
7 eligible to possess a firearm under state and federal law; and

8 (c) The requirements and time periods in RCW 9.41.092 have been
9 satisfied.

10 (2) In determining whether the purchaser or transferee is
11 eligible to possess a firearm, the Washington state patrol firearms
12 background check program shall check with the national instant
13 criminal background check system, provided for by the Brady handgun
14 violence prevention act (18 U.S.C. Sec. 921 et seq.), the Washington
15 state patrol electronic database, the health care authority
16 electronic database, the administrative office of the courts, LINX-
17 NW, and with other agencies or resources as appropriate, to determine
18 whether the applicant is ineligible under RCW 9.41.040 to possess a
19 firearm.

20 (3)(a) In any case where there is an outstanding warrant for the
21 applicant's arrest from any court of competent jurisdiction for a
22 felony or misdemeanor, the Washington state patrol firearms
23 background check program shall advise the dealer that the delivery of
24 the firearm is delayed. The Washington state patrol firearms
25 background check program shall confirm the existence of outstanding
26 warrants after notification of the application to purchase a firearm
27 is received. Upon confirming that the warrant is valid, the
28 Washington state patrol firearms background check program will advise
29 the dealer that transfer of the firearm is denied.

30 (b) In any case where the Washington state patrol firearms
31 background check program has reasonable grounds based on the
32 following circumstances: (i) Open criminal charges, (ii) pending
33 criminal proceedings, (iii) pending commitment proceedings, or (iv)
34 an arrest for an offense making a person ineligible under RCW
35 9.41.040 to possess a firearm, if the records of disposition have not
36 yet been reported or entered sufficiently to determine eligibility to
37 purchase or receive a firearm, the Washington state patrol firearms
38 background check program shall notify the dealer that delivery of the
39 firearm is delayed in order to confirm existing records in this state
40 or elsewhere or to confirm the identity of the applicant.

1 (4)(a) At the time of applying for the purchase of a firearm, the
2 (~~(purchaser)~~) applicant shall (~~(sign and deliver to the dealer an~~
3 ~~application containing)~~) provide the firearm dealer the application
4 information necessary to submit the background check to the
5 Washington state patrol background check system, including:

6 (i) (~~(His or her)~~) The applicant's full name, residential
7 address, date and place of birth, race, and gender;

8 (ii) The date and hour of the application;

9 (iii) The applicant's driver's license number or state
10 identification card number;

11 (iv) The identification number of the applicant's permit to
12 purchase firearms;

13 (v) A description of the firearm including the make, model,
14 caliber and if available the manufacturer's number (~~(if available at~~
15 ~~the time of applying for the purchase of the firearm. If the~~
16 ~~manufacturer's number is not available at the time of applying for~~
17 ~~the purchase of a firearm, the application may be processed, but~~
18 ~~delivery of the firearm to the purchaser may not occur unless the~~
19 ~~manufacturer's number is recorded on the application by the dealer~~
20 ~~and transmitted to the Washington state patrol firearms background~~
21 ~~check program)); and~~

22 (~~(+v)~~) (vi) A statement that the (~~(purchaser)~~) applicant is
23 eligible to purchase and possess a firearm under state and federal
24 law.

25 (b) The dealer shall provide the applicant with information that
26 contains two warnings substantially stated as follows:

27 (i) CAUTION: Although state and local laws do not differ, federal
28 law and state law on the possession of firearms differ. If you are
29 prohibited by federal law from possessing a firearm, you may be
30 prosecuted in federal court. State permission to purchase a firearm
31 is not a defense to a federal prosecution; and

32 (ii) CAUTION: The presence of a firearm in the home has been
33 associated with an increased risk of death to self and others,
34 including an increased risk of suicide, death during domestic
35 violence incidents, and unintentional deaths to children and others.

36 The (~~(purchaser)~~) applicant shall be given a copy of the
37 department of fish and wildlife pamphlet on the legal limits of the
38 use of firearms and firearms safety.

1 (c) The dealer shall(~~((, by the end of the business day,))~~)
2 transmit the information from the application through secure
3 automated firearms e-check (SAFE) to the Washington state patrol
4 firearms background check program. (~~((The original application shall~~
5 ~~be retained by the dealer for six years.))~~)

6 (d) The dealer shall deliver the firearm to the purchaser or
7 transferee once the requirements and period of time specified in this
8 chapter are satisfied. The application shall not be denied unless the
9 purchaser or transferee is not eligible to purchase or possess the
10 firearm under state or federal law or has not complied with the
11 requirements of this section.

12 (e) The Washington state patrol firearms background check program
13 shall retain or destroy applications to purchase a firearm in
14 accordance with the requirements of 18 U.S.C. Sec. 922.

15 (~~((4))~~) (5) A person who knowingly makes a false statement
16 regarding identity or eligibility requirements on the application to
17 purchase a firearm is guilty of false swearing under RCW 9A.72.040.

18 (~~((5))~~) (6) This section does not apply to sales to licensed
19 dealers for resale or to the sale of antique firearms.

20 NEW SECTION. Sec. 2. A new section is added to chapter 9.41 RCW
21 to read as follows:

22 (1) A person may apply for a permit to purchase firearms with the
23 Washington state patrol firearms background check program.

24 (2) An applicant for a permit to purchase firearms must submit to
25 the Washington state patrol firearms background check program:

26 (a) A completed permit application as provided in subsection (3)
27 of this section;

28 (b) A complete set of fingerprints taken by the local law
29 enforcement agency in the jurisdiction in which the applicant
30 resides;

31 (c) A certificate of completion of a certified firearms safety
32 training program within the last five years, or proof that the
33 applicant is exempt from the training requirement, as provided in RCW
34 9.41.1132; and

35 (d) The permit application fee as provided in subsection (11) of
36 this section.

37 (3) An application for a permit to purchase firearms must include
38 the applicant's:

39 (a) Full name and place and date of birth;

1 (b) Residential address and current mailing address if different
2 from the residential address;

3 (c) Driver's license number or state identification card number;

4 (d) Physical description;

5 (e) Race and gender;

6 (f) Telephone number and email address, at the option of the
7 applicant; and

8 (g) Electronic signature.

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

21 (5) A signed application for a permit to purchase firearms shall
22 constitute a waiver of confidentiality and written request that
23 courts, the health care authority, mental health institutions, and
24 other health care facilities release information relevant to the
25 applicant's eligibility for a permit to purchase firearms to an
26 inquiring court or the Washington state patrol firearms background
27 check program.

28 (6) The Washington state patrol firearms background check program
29 shall issue a permit to purchase firearms to an eligible applicant,
30 or deny the completed application, within 30 days of the date the
31 completed application was filed, or within 60 days of when the
32 completed application was filed if the applicant does not have a
33 valid permanent Washington driver's license or Washington state
34 identification card or has not been a resident of the state for the
35 previous consecutive 90 days, unless additional time is necessary in
36 order to obtain all required information and records needed for
37 determining the applicant's eligibility for the permit.

38 (7)(a) A permit to purchase firearms shall be issued unless the
39 applicant is disqualified because the applicant:

1 (i) Is prohibited from purchasing or possessing a firearm under
2 state or federal law;

3 (ii) Is subject to a court order or injunction regarding firearms
4 pursuant to chapter 7.105 RCW, or RCW 9A.44.210, 9A.46.080,
5 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.26B.020, or
6 26.26A.470, or any of the former RCW 10.14.080, 26.10.115, 26.50.060,
7 and 26.50.070;

8 (iii) Is free on bond or personal recognizance pending trial,
9 appeal, or sentencing for a felony offense;

10 (iv) Has an outstanding warrant for the applicant's arrest from
11 any court of competent jurisdiction for a felony or misdemeanor; or

12 (v) Has failed to produce a certificate of completion of a
13 certified firearms safety training program within the last five
14 years, or proof that the applicant is exempt from the training
15 requirement.

16 (b) If an application for a permit to purchase firearms is
17 denied, the Washington state patrol firearms background check program
18 shall send the applicant a written notice of the denial stating the
19 specific grounds on which the permit to purchase firearms is denied.
20 If the applicant provides an email address at the time of
21 application, the Washington state patrol firearms background check
22 program may send the denial notice to the applicant's email address.

23 (8)(a) In determining whether the applicant is eligible for a
24 permit to purchase firearms, the Washington state patrol firearms
25 background check program shall check with the national instant
26 criminal background check system, the Washington state patrol
27 electronic database, the health care authority electronic database,
28 the administrative office of the courts, LInX-NW, and with other
29 agencies or resources as appropriate.

30 (b) A background check for an original permit must be conducted
31 through the Washington state patrol criminal records division and
32 shall include a national check from the federal bureau of
33 investigation through the submission of fingerprints. The results
34 will be returned to the Washington state patrol firearms background
35 check program. The applicant may request and receive a copy of the
36 results of the background check from the Washington state patrol. If
37 the applicant seeks to amend or correct their record, the applicant
38 must contact the Washington state patrol for a Washington state
39 record or the federal bureau of investigation for records from other
40 jurisdictions.

1 (9) The Washington state patrol firearms background check program
2 shall develop procedures to verify on an annual basis that persons
3 who have been issued a permit to purchase firearms remain eligible to
4 possess firearms under state and federal law and continue to meet
5 other firearm eligibility requirements. If a person is determined to
6 be ineligible, the Washington state patrol firearms background check
7 program shall revoke the permit under subsection (14) of this
8 section, and provide notification of the revocation and relevant
9 information to the chief of police or the sheriff of the jurisdiction
10 in which the permit holder resides so that local law enforcement may
11 take steps to ensure the permit holder is not illegally in possession
12 of firearms.

13 (10) The permit to purchase firearms must be in a form prescribed
14 by the Washington state patrol firearms background check program and
15 must contain a unique permit number, expiration date, and the name,
16 date of birth, residential address, and brief description of the
17 licensee.

18 (11)(a) A permit to purchase firearms is valid for a period of
19 five years. A person may renew a permit to purchase firearms by
20 applying for renewal in accordance with the requirements of this
21 section within 90 days before or after the expiration date of the
22 permit. A renewed permit to purchase firearms takes effect on the
23 expiration date of the prior permit to purchase firearms and is valid
24 for a period of five years.

25 (b)(i) The Washington state patrol firearms background check
26 program may charge permit application fees which will cover as nearly
27 as practicable the direct and indirect costs to the Washington state
28 patrol incurred in creating and administering the permit to purchase
29 firearms program. The Washington state patrol firearms background
30 check program shall establish a late penalty for late renewal of a
31 permit to purchase firearms. The Washington state patrol firearms
32 background check program shall transmit the fees collected to the
33 state treasurer for deposit in the state firearms background check
34 system account created in RCW 43.43.590.

35 (ii) In addition to the permit application fee, an applicant for
36 a permit to purchase firearms must pay the fingerprint processing fee
37 under RCW 43.43.742.

38 (12) The Washington state patrol firearms background check
39 program shall mail a renewal notice to the holder of a permit to
40 purchase firearms approximately 90 days before the expiration date of

1 the permit at the address listed on the application, or to the permit
2 holder's new address if the permit holder has notified the Washington
3 state patrol firearms background check program of a change of
4 address. If the permit holder provides an email address at the time
5 of application, the Washington state patrol firearms background check
6 program may send the renewal notice to the permit holder's email
7 address. The notice must contain the date the permit to purchase
8 firearms will expire, the amount of the renewal fee, the penalty for
9 late renewal, and instructions on how to renew the permit to purchase
10 firearms.

11 (13) A permit to purchase firearms issued under this section does
12 not authorize the holder of the permit to carry a concealed pistol.

13 (14) The Washington state patrol firearms background check
14 program shall revoke a permit to purchase firearms on the occurrence
15 of any act or condition that would prevent the issuance of a permit
16 to purchase firearms. The Washington state patrol firearms background
17 check program shall send the permit holder a written notice of the
18 revocation stating the specific grounds on which the permit is
19 revoked.

20 (15) If a permit application is denied or a permit is revoked, a
21 person aggrieved by the denial or revocation is entitled to seek
22 review of the denial or revocation in superior court under section 13
23 of this act.

24 (16) Not later than one year after the effective date of this
25 section and annually thereafter, the Washington state patrol firearms
26 background check program shall submit to the state legislature a
27 report that includes all of the following information for the
28 preceding year:

29 (a) The number of permit applications submitted, issued, and
30 denied;

31 (b) Aggregate and anonymized demographic data on the number of
32 applicants seeking permits that were issued, including race, gender,
33 date of birth, and county of residence;

34 (c) Aggregate and anonymized demographic data on the number of
35 applicants seeking permits that were denied, including race, gender,
36 date of birth, and county of residence;

37 (d) The frequency with which permits were denied for each of the
38 statutory disqualifying factors listed in this section;

39 (e) The number of permit denial decisions appealed by permit
40 applicants and the disposition of those appeals;

1 (f) The number of issued permits revoked; and

2 (g) The number of cases that the Washington state patrol has
3 provided notice of permit revocations and relevant information to
4 local law enforcement agencies, and the number of cases that local
5 law enforcement agencies have taken action to remove firearms
6 purchased with a permit that was subsequently revoked and the number
7 of firearms recovered in such cases.

8 **Sec. 3.** RCW 9.41.1132 and 2023 c 161 s 2 are each amended to
9 read as follows:

10 (1) A person applying for ~~((the purchase or transfer of a~~
11 ~~firearm))~~ a permit to purchase firearms must provide ~~((proof))~~ a
12 certificate of completion of a ~~((recognized))~~ certified firearms
13 safety training program within the last five years that, at a
14 minimum, includes instruction on:

15 (a) Basic firearms safety rules;

16 (b) Firearms and children, including secure gun storage and
17 talking to children about gun safety;

18 (c) Firearms and suicide prevention;

19 (d) Secure gun storage to prevent unauthorized access and use;

20 (e) Safe handling of firearms;

21 (f) State and federal firearms laws, including prohibited
22 firearms transfers and locations where firearms are prohibited;

23 (g) State laws pertaining to the use of deadly force for self-
24 defense; ~~((and))~~

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

27 (i) Live-fire shooting exercises on a firing range that include a
28 demonstration by the applicant of the safe handling of, and shooting
29 proficiency with, firearms.

30 (2) The training must be sponsored by a federal, state, county,
31 or municipal law enforcement agency, a college or university, a
32 nationally recognized organization that customarily offers firearms
33 training, or a firearms training school with instructors certified by
34 a nationally recognized organization that customarily offers firearms
35 training. The ~~((proof))~~ certificate of training shall be in the form
36 ~~((of a certification that states under the penalty of perjury that~~
37 ~~the training included the minimum requirements))~~ and manner of
38 documentation developed by the Washington state patrol under section
39 4 of this act.

1 (3) The training may include stories provided by individuals with
2 lived experience in the topics listed in subsection (1)(a) through
3 (g) of this section or an understanding of the legal and social
4 impacts of discharging a firearm.

5 (4) The firearms safety training requirement of this section does
6 not apply to:

7 (a) ((A)) Upon showing proper identification, a person who is a:

8 (i) General authority Washington peace officer as defined in RCW
9 10.93.020;

10 (ii) Limited authority Washington peace officer as defined in RCW
11 10.93.020 who as a normal part of their duties has arrest powers and
12 carries a firearm;

13 (iii) Specially commissioned Washington peace officer as defined
14 in RCW 10.93.020 who as a normal part of their duties has arrest
15 powers and carries a firearm; or

16 (iv) Federal peace officer as defined in RCW 10.93.020 who as a
17 normal part of their duties has arrest powers and carries a firearm;
18 or

19 (b) ((A)) Upon showing proper identification, a person who is an
20 active duty member of the armed forces of the United States, an
21 active member of the national guard, or an active member of the armed
22 forces reserves ((who, as part of the applicant's service, has
23 completed, within the last five years, a course of training in
24 firearms proficiency or familiarization that included training on the
25 safe handling and shooting proficiency with firearms)). For the
26 purposes of this section, proper identification includes the armed
27 forces identification card or other written documentation certifying
28 that the individual is an active military member.

29 NEW SECTION. Sec. 4. A new section is added to chapter 43.43
30 RCW to read as follows:

31 The Washington state patrol shall establish a program to provide
32 certifications for firearms safety training programs that meet the
33 requirements of RCW 9.41.070 and 9.41.1132, and to require certified
34 firearms safety programs to apply for recertification every five
35 years. The Washington state patrol shall develop the form and manner
36 of documentation for applicants for permits to purchase firearms to
37 provide proof of completion of a certified firearms safety training
38 program, for concealed pistol license applicants to provide proof of
39 completion of a certified concealed carry firearms safety training

1 program, and for use as proof of qualifying for an exemption from the
2 firearms safety training requirement or concealed carry firearms
3 safety training requirement.

4 **Sec. 5.** RCW 43.43.590 and 2020 c 28 s 3 are each amended to read
5 as follows:

6 The state firearms background check system account is created in
7 the custody of the state treasurer. All receipts under RCW 43.43.580
8 and section 2 of this act must be deposited into the account.
9 Expenditures from the account may be used only for the creation,
10 operation, and maintenance of the automated firearms background check
11 system under RCW 43.43.580, and for costs incurred in establishing
12 and administering the permit to purchase firearms program under
13 section 2 of this act. Only the chief of the Washington state patrol
14 or the chief's designee may authorize expenditures from the account.
15 The account is subject to allotment procedures under chapter 43.88
16 RCW, but an appropriation is not required for expenditures. The
17 account must provide reimbursement of any amounts appropriated for
18 the purposes of initial establishment of the permit to purchase
19 firearms program by June 30, 2028.

20 NEW SECTION. **Sec. 6.** The Washington state patrol may adopt
21 rules and undertake actions necessary for the implementation and
22 administration of sections 2, 4, and 5 of this act.

23 NEW SECTION. **Sec. 7.** A new section is added to chapter 9.41 RCW
24 to read as follows:

25 A local law enforcement agency taking fingerprints pursuant to
26 section 2 of this act may charge a reasonable fee to recover as
27 nearly as practicable the direct and indirect costs to the local law
28 enforcement agency of taking and transmitting the fingerprints.

29 **Sec. 8.** RCW 9.41.047 and 2024 c 290 s 1 are each amended to read
30 as follows:

31 (1)(a) At the time a person is convicted or found not guilty by
32 reason of insanity of an offense making the person ineligible to
33 possess a firearm under state or federal law, including if the person
34 was convicted of possession under RCW 69.50.4011, 69.50.4013,
35 69.50.4014, or 69.41.030, or at the time a person is committed by
36 court order under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, or

chapter 10.77 RCW for treatment for a mental disorder, or at the time that charges are dismissed based on incompetency to stand trial under RCW 10.77.086, or the charges are dismissed based on incompetency to stand trial under RCW 10.77.088 and the court makes a finding that the person has a history of one or more violent acts, the court shall notify the person, orally and in writing, that the person must immediately surrender all firearms to their local law enforcement agency and any concealed pistol license and that the person may not possess a firearm unless the person's right to do so is restored by the superior court that issued the order.

(b) The court shall forward within three judicial days following conviction or finding of not guilty by reason of insanity a copy of the person's driver's license or identicard, or comparable information such as the person's name, address, and date of birth, along with the date of conviction or finding of not guilty by reason of insanity, to the department of licensing and to the Washington state patrol firearms background check program.

(c) The court shall forward within three judicial days following commitment by court order under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, or chapter 10.77 RCW, for treatment for a mental disorder, or upon dismissal of charges based on incompetency to stand trial under RCW 10.77.086, or the charges are dismissed based on incompetency to stand trial under RCW 10.77.088 when the court makes a finding that the person has a history of one or more violent acts, a copy of the person's driver's license or identicard, or comparable information such as the person's name, address, and date of birth, along with the date of commitment or date charges are dismissed, to the national instant criminal background check system index, denied persons file, created by the federal Brady handgun violence prevention act (P.L. 103-159), and to the department of licensing, Washington state patrol firearms background check program, and the criminal division of the county prosecutor in the county of commitment or the county in which charges are dismissed. The petitioning party shall provide the court with the information required. If more than one commitment order is entered under one cause number, only one notification to the national instant criminal background check system, the department of licensing, the Washington state patrol firearms background check program, and the criminal division of the county prosecutor in the county of commitment or county in which charges are dismissed is required.

1 (2)(a) Upon receipt of the information provided in subsection (1)
2 of this section, the Washington state patrol firearms background
3 check program shall determine if the convicted or committed person,
4 or the person whose charges are dismissed based on incompetency to
5 stand trial, has a permit to purchase firearms. If the person does
6 have a permit to purchase firearms, the Washington state patrol
7 firearms background check program shall immediately revoke the
8 permit.

9 (b) Upon receipt of the information provided for by subsection
10 (1) of this section, the department of licensing shall determine if
11 the person has a concealed pistol license. If the person has a
12 concealed pistol license, the department of licensing shall
13 immediately notify ~~((the license-issuing authority which, upon))~~ the
14 issuing law enforcement agency that the court has directed revocation
15 of the license. Upon receipt of such notification, the issuing law
16 enforcement agency shall immediately revoke the license.

17 (3)(a) A person who is prohibited from possessing a firearm, by
18 reason of having been involuntarily committed for treatment for a
19 mental disorder under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750,
20 chapter 10.77 RCW, or equivalent statutes of another jurisdiction, or
21 by reason of having been detained under RCW 71.05.150 or 71.05.153,
22 or because the person's charges were dismissed based on incompetency
23 to stand trial under RCW 10.77.086, or the charges were dismissed
24 based on incompetency to stand trial under RCW 10.77.088 and the
25 court made a finding that the person has a history of one or more
26 violent acts, may, upon discharge, petition the superior court to
27 have ~~((his or her))~~ the person's right to possess a firearm restored,
28 except that a person found not guilty by reason of insanity may not
29 petition for restoration of the right to possess a firearm until one
30 year after discharge.

31 (b) The petition must be brought in the superior court that
32 ordered the involuntary commitment or dismissed the charges based on
33 incompetency to stand trial or the superior court of the county in
34 which the petitioner resides.

35 (c) Except as provided in (d) and (e) of this subsection, firearm
36 rights shall be restored if the person petitioning for restoration of
37 firearm rights proves by a preponderance of the evidence that:

38 (i) The person petitioning for restoration of firearm rights is
39 no longer required to participate in court-ordered inpatient or
40 outpatient treatment;

1 (ii) The person petitioning for restoration of firearm rights has
2 successfully managed the condition related to the commitment or
3 detention or incompetency;

4 (iii) The person petitioning for restoration of firearm rights no
5 longer presents a substantial danger to self or to the public;

6 (iv) The symptoms related to the commitment or detention or
7 incompetency are not reasonably likely to recur; and

8 (v) There is no active extreme risk protection order or order to
9 surrender and prohibit weapons entered against the petitioner.

10 (d) If a preponderance of the evidence in the record supports a
11 finding that the person petitioning for restoration of firearm rights
12 has engaged in violence and that it is more likely than not that the
13 person will engage in violence after the person's right to possess a
14 firearm is restored, the person petitioning for restoration of
15 firearm rights shall bear the burden of proving by clear, cogent, and
16 convincing evidence that the person does not present a substantial
17 danger to the safety of others.

18 (e) If the person seeking restoration of firearm rights seeks
19 restoration after having been detained under RCW 71.05.150 or
20 71.05.153, the state shall bear the burden of proof to show, by a
21 preponderance of the evidence, that the person does not meet the
22 restoration criteria in (c) of this subsection.

23 (f) When a person's right to possess a firearm has been restored
24 under this subsection, the court shall forward, within three judicial
25 days after entry of the restoration order, notification that the
26 person's right to possess a firearm has been restored to the
27 department of licensing and the Washington state patrol criminal
28 records division, with a copy of the person's driver's license or
29 identicard, or comparable identification such as the person's name,
30 address, and date of birth, and to the health care authority, and the
31 national instant criminal background check system index, denied
32 persons file. In the case of a person whose right to possess a
33 firearm has been suspended for six months as provided in RCW
34 71.05.182, the department of licensing shall forward notification of
35 the restoration order to the licensing authority, which, upon receipt
36 of such notification, shall immediately lift the suspension,
37 restoring the person's concealed pistol license.

38 (4) No person who has been found not guilty by reason of insanity
39 may petition a court for restoration of the right to possess a

firearm unless the person meets the requirements for the restoration of the right to possess a firearm under RCW 9.41.041.

Sec. 9. RCW 9.41.070 and 2021 c 215 s 94 are each amended to read as follows:

(1) The chief of police of a municipality or the sheriff of a county shall within thirty days after the filing of an application of any person, issue a license to such person to carry a concealed pistol (~~((concealed on his or her person))~~) within this state for five years from date of issue, for the purposes of protection or while engaged in business, sport, or while traveling. However, if the applicant does not have a valid permanent Washington driver's license or Washington state identification card or has not been a resident of the state for the previous consecutive ninety days, the issuing authority shall have up to sixty days after the filing of the application to issue a license. The issuing authority shall not refuse to accept completed applications for concealed pistol licenses during regular business hours.

~~((The applicant's constitutional right to bear arms shall not be denied, unless))~~ A concealed pistol license application shall be issued unless the applicant is disqualified because the applicant:

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

(b) The applicant's concealed pistol license is in a revoked status;

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

(d) ~~((He or she is))~~ Is subject to a court order or injunction regarding firearms pursuant to chapter 7.105 RCW, or RCW 9A.46.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.26B.020, or 26.26A.470, or any of the former RCW 10.14.080, 26.10.115, 26.50.060, and 26.50.070;

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

(f) ~~((He or she has))~~ Has an outstanding warrant for ~~((his or her))~~ the applicant's arrest from any court of competent jurisdiction for a felony or misdemeanor; ~~((or))~~

(g) ~~((He or she has))~~ Has been ordered to forfeit a firearm under RCW 9.41.098(1)(e) within one year before filing an application ~~((to~~

1 ~~carry a pistol))~~ for a concealed ~~((on his or her person))~~ pistol
2 license; or

3 (h) Has failed to produce a certificate of completion from a
4 certified concealed carry firearms safety training program within the
5 last five years, as provided under subsection (5) of this section and
6 section 4 of this act, or proof that the applicant is exempt from the
7 training requirement.

8 No person convicted of a felony may have ~~((his or her))~~ the
9 person's right to possess firearms restored or ~~((his or her))~~
10 privilege to carry a concealed pistol restored, unless the person has
11 been granted relief from disabilities by the attorney general under
12 18 U.S.C. Sec. 925(c), or RCW 9.41.040 (3) or (4) applies.

13 (2)(a) The issuing authority shall conduct a check through the
14 national instant criminal background check system, the Washington
15 state patrol electronic database, the administrative office of the
16 courts, LINX-NW, the health care authority electronic database, and
17 with other agencies or resources as appropriate, to determine whether
18 the applicant is ineligible under RCW 9.41.040 or 9.41.045 to possess
19 a firearm, or is prohibited from possessing a firearm under federal
20 or state law, and therefore ineligible for a concealed pistol
21 license.

22 (b) The issuing authority shall deny a ~~((permit))~~ license to
23 anyone who is found to be prohibited from possessing a firearm under
24 federal or state law or otherwise disqualified from obtaining a
25 concealed pistol license under the requirements of this section.

26 (c) (a) and (b) of this subsection apply whether the applicant is
27 applying for a new concealed pistol license or to renew a concealed
28 pistol license.

29 (d) A background check for an original license must be conducted
30 through the Washington state patrol criminal identification section
31 and shall include a national check from the federal bureau of
32 investigation through the submission of fingerprints. The results
33 will be returned to the issuing authority. The applicant may request
34 and receive a copy of the results of the background check from the
35 issuing authority. If the applicant seeks to amend or correct their
36 record, the applicant must contact the Washington state patrol for a
37 Washington state record or the federal bureau of investigation for
38 records from other jurisdictions. An applicant presenting a valid
39 permit to purchase firearms is exempt from the fingerprint check
40 requirement in a concealed pistol license application.

1 (e)(i) If an application for a concealed pistol license is
2 denied, the issuing authority shall send the applicant a written
3 notice of the denial citing the specific statute under which the
4 application is denied, and providing specific details regarding the
5 grounds for denial in compliance with rules governing the
6 dissemination of criminal history information. If the applicant
7 provides an email address at the time of application, the issuing
8 authority may send the denial notice to the applicant's email
9 address. The written notice also must include information on the
10 procedure for an applicant to request that the issuing authority
11 reconsider the denial of the application.

12 (ii) If the issuing authority after reconsideration upholds the
13 decision to deny the application, the applicant may seek judicial
14 review of the denial in superior court under section 13 of this act.

15 (3) Any person whose firearms rights have been restricted and who
16 has been granted relief from disabilities by the attorney general
17 under 18 U.S.C. Sec. 925(c) or who is exempt under 18 U.S.C. Sec.
18 921(a)(20)(A) shall have ~~((his or her))~~ the person's right to
19 acquire, receive, transfer, ship, transport, carry, and possess
20 firearms in accordance with Washington state law restored except as
21 otherwise prohibited by this chapter.

22 (4) The license application shall bear the full name, residential
23 address, telephone number at the option of the applicant, email
24 address at the option of the applicant, date and place of birth,
25 race, gender, physical description, a complete set of fingerprints
26 unless the applicant presents a valid permit to purchase firearms
27 issued under section 2 of this act, ((and)) signature of the
28 licensee, and the licensee's driver's license number or state
29 identification card number if used for identification in applying for
30 the license. A signed application for a concealed pistol license
31 shall constitute a waiver of confidentiality and written request that
32 the health care authority, mental health institutions, and other
33 health care facilities release information relevant to the
34 applicant's eligibility for a concealed pistol license to an
35 inquiring court or law enforcement agency.

36 The application for an original license shall include a complete
37 set of fingerprints to be forwarded to the Washington state patrol
38 unless the applicant presents a valid permit to purchase firearms
39 issued under section 2 of this act.

1 The license and application shall contain a warning substantially
2 as follows:

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

8 The license shall contain a description of the major differences
9 between state and federal law and an explanation of the fact that
10 local laws and ordinances on firearms are preempted by state law and
11 must be consistent with state law.

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

26 A photograph of the applicant may be required as part of the
27 application and printed on the face of the license.

28 The original thereof shall be delivered to the licensee, the
29 duplicate shall within seven days be sent to the director of
30 licensing and the triplicate shall be preserved for six years, by the
31 authority issuing the license.

32 The department of licensing shall make available to law
33 enforcement and corrections agencies, in an online format, all
34 information received under this subsection.

35 (5)(a) The training required for issuance of a license under this
36 section must be from a concealed carry firearms safety training
37 program certified under section 4 of this act that includes live-fire
38 shooting exercises on a firing range that include a demonstration by
39 the applicant of the safe handling of, and shooting proficiency with,

firearms, including a minimum of 50 rounds of ammunition firing training at a firing range under the supervision of an instructor.

(b) Concealed pistol license applicants are exempt from the training requirement in this section if they can demonstrate they are exempt under RCW 9.41.1132(4).

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

The fee shall be distributed as follows:

~~((+a))~~ (i) Fifteen dollars shall be paid to the state general fund;

~~((+b))~~ (ii) Four dollars shall be paid to the agency taking the fingerprints of the person licensed;

~~((+c))~~ (iii) Fourteen dollars shall be paid to the issuing authority for the purpose of enforcing this chapter;

~~((+d))~~ (iv) Two dollars and sixteen cents to the firearms range account in the general fund; and

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

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

The renewal fee shall be distributed as follows:

~~((+a))~~ (i) Fifteen dollars shall be paid to the state general fund;

~~((+b))~~ (ii) Fourteen dollars shall be paid to the issuing authority for the purpose of enforcing this chapter;

~~((+c))~~ (iii) Two dollars and sixteen cents to the firearms range account in the general fund; and

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

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

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

1 (~~((9))~~) (7)(a) A licensee may renew a license if the licensee
2 applies for renewal within ninety days before or after the expiration
3 date of the license. A license so renewed shall take effect on the
4 expiration date of the prior license. A licensee renewing after the
5 expiration date of the license must pay a late renewal penalty of ten
6 dollars in addition to the renewal fee specified in subsection (6) of
7 this section. The fee shall be distributed as follows:

8 (i) Three dollars shall be deposited in the limited fish and
9 wildlife account and used exclusively first for the printing and
10 distribution of a pamphlet on the legal limits of the use of
11 firearms, firearms safety, and the preemptive nature of state law,
12 and subsequently the support of volunteer instructors in the basic
13 firearms safety training program conducted by the department of fish
14 and wildlife. The pamphlet shall be given to each applicant for a
15 license; and

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

18 (b) Beginning with concealed pistol licenses that expire on or
19 after August 1, 2018, the department of licensing shall mail a
20 renewal notice approximately ninety days before the license
21 expiration date to the licensee at the address listed on the
22 concealed pistol license application, or to the licensee's new
23 address if the licensee has notified the department of licensing of a
24 change of address. Alternatively, if the licensee provides an email
25 address at the time of license application, the department of
26 licensing may send the renewal notice to the licensee's email
27 address. The notice must contain the date the concealed pistol
28 license will expire, the amount of renewal fee, the penalty for late
29 renewal, and instructions on how to renew the license.

30 (~~((10))~~) (8) Notwithstanding the requirements of subsections (1)
31 through (~~((9))~~) (7) of this section, the chief of police of the
32 municipality or the sheriff of the county of the applicant's
33 residence may issue a temporary emergency license for good cause
34 pending review under subsection (1) of this section. However, a
35 temporary emergency license issued under this subsection shall not
36 exempt the holder of the license from any records check requirement.
37 Temporary emergency licenses shall be easily distinguishable from
38 regular licenses.

39 (~~((11))~~) (9) A political subdivision of the state shall not
40 modify the requirements of this section or chapter, nor may a

1 political subdivision ask the applicant to voluntarily submit any
2 information not required by this section.

3 ~~((112))~~ (10) A person who knowingly makes a false statement
4 regarding citizenship or identity on an application for a concealed
5 pistol license is guilty of false swearing under RCW 9A.72.040. In
6 addition to any other penalty provided for by law, the concealed
7 pistol license of a person who knowingly makes a false statement
8 shall be revoked, and the person shall be permanently ineligible for
9 a concealed pistol license.

10 ~~((113))~~ (11) A person may apply for a concealed pistol license:

11 (a) To the municipality or to the county in which the applicant
12 resides if the applicant resides in a municipality;

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

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

16 ~~((114))~~ (12) Any person who, as a member of the armed forces,
17 including the national guard and armed forces reserves, is unable to
18 renew ~~((his or her))~~ a license under ~~((subsections (6) and (9)))~~
19 subsection (7) of this section because of the person's assignment,
20 reassignment, or deployment for out-of-state military service may
21 renew ~~((his or her))~~ the license within ninety days after the person
22 returns to this state from out-of-state military service, if the
23 person provides the following to the issuing authority no later than
24 ninety days after the person's date of discharge or assignment,
25 reassignment, or deployment back to this state: (a) A copy of the
26 person's original order designating the specific period of
27 assignment, reassignment, or deployment for out-of-state military
28 service, and (b) if appropriate, a copy of the person's discharge or
29 amended or subsequent assignment, reassignment, or deployment order
30 back to this state. A license ~~((se))~~ renewed under this subsection
31 ~~((114))~~ shall take effect on the expiration date of the prior
32 license. A licensee renewing after the expiration date of the license
33 under this subsection ~~((114))~~ shall pay only the renewal fee
34 specified in subsection (6) of this section and shall not be required
35 to pay a late renewal penalty in addition to the renewal fee.

36 ~~((115))~~ (13) (a) By October 1, 2019, law enforcement agencies
37 that issue concealed pistol licenses shall develop and implement a
38 procedure for the renewal of concealed pistol licenses through a mail
39 application process, and may develop an online renewal application
40 process, for any person who, as a member of the armed forces,

1 including the national guard and armed forces reserves, is unable to
2 renew ~~((his or her))~~ a license under ~~((subsections (6) and (9)))~~
3 subsection (7) of this section because of the person's assignment,
4 reassignment, or deployment for out-of-state military service.

5 (b) A person applying for a license renewal under this subsection
6 shall:

7 (i) Provide a copy of the person's original order designating the
8 specific period of assignment, reassignment, or deployment for out-
9 of-state military service;

10 (ii) Apply for renewal within ninety days before or after the
11 expiration date of the license; and

12 (iii) Pay the renewal licensing fee under subsection (6) of this
13 section, and, if applicable, the late renewal penalty under
14 subsection ~~((+9+))~~ (7) of this section.

15 (c) A license renewed under this subsection takes effect on the
16 expiration date of the prior license and is valid for a period of one
17 year.

18 (14) Not later than one year after the effective date of this
19 section and annually thereafter, issuing authorities shall submit
20 aggregate license application data as set forth in this section to
21 the Washington state patrol firearms background check program for
22 statewide analysis of the uniformity of the licensing system and any
23 potential demographic disparities. Not later than 18 months after the
24 effective date of this section and annually thereafter, the
25 Washington state patrol firearms background check program shall
26 submit to the state legislature a report that includes all of the
27 following information, to the extent available, regarding concealed
28 pistol licenses for the preceding year:

29 (a) The number of license applications submitted, issued, and
30 denied;

31 (b) Aggregate and anonymized demographic data on the number of
32 applicants seeking licenses that were issued, including race, gender,
33 date of birth, and county of residence;

34 (c) Aggregate and anonymized demographic data on the number of
35 applicants seeking licenses that were denied, including race, gender,
36 date of birth, and county of residence;

37 (d) The frequency with which licenses were denied for each of the
38 statutory disqualifying factors listed in this section;

39 (e) The number of license denial decisions appealed by license
40 applicants and the disposition of those appeals;

1 (f) The number of issued licenses revoked; and
2 (g) Information on the barriers, if any, to compiling and
3 analyzing the information listed in (a) through (f) of this
4 subsection.

5 **Sec. 10.** RCW 9.41.075 and 2021 c 215 s 73 are each amended to
6 read as follows:

7 (1) The license shall be revoked by a law enforcement agency
8 immediately upon:

9 (a) Discovery by the law enforcement agency that the licensee was
10 ineligible under RCW 9.41.070 for a concealed pistol license when
11 applying for the license or license renewal or has become ineligible
12 after the license was issued;

13 (b) Conviction of the licensee, or the licensee being found not
14 guilty by reason of insanity, of an offense, or commitment of the
15 licensee for mental health treatment, that makes a person ineligible
16 under RCW 9.41.040 to possess a firearm;

17 (c) Conviction of the licensee for a third violation of this
18 chapter within five calendar years;

19 (d) An order that the licensee forfeit a firearm under RCW
20 9.41.098(1)(d); or

21 (e) The law enforcement agency's receipt of an order to surrender
22 and prohibit weapons or an extreme risk protection order, other than
23 an ex parte temporary protection order, issued against the licensee.

24 (2) The law enforcement agency must provide a written notice of
25 the revocation to the license holder citing the specific statute
26 under which the license is revoked, and providing details regarding
27 the grounds for revocation in compliance with rules governing the
28 dissemination of criminal history information. The written notice
29 also must include information on the procedure for the license holder
30 to request that the law enforcement agency reconsider the revocation
31 determination. If the agency after reconsideration upholds the
32 decision to revoke the license, the license holder may seek review of
33 the denial in superior court under section 13 of this act.

34 (3)(a) Unless the person may lawfully possess a pistol without a
35 concealed pistol license, an ineligible person to whom a concealed
36 pistol license was issued shall, within 14 days of license
37 revocation, lawfully transfer ownership of any pistol acquired while
38 the person was in possession of the license.

(b) Upon discovering a person issued a concealed pistol license was ineligible for the license, the law enforcement agency shall contact the department of licensing to determine whether the person purchased a pistol while in possession of the license. If the person did purchase a pistol while in possession of the concealed pistol license, if the person may not lawfully possess a pistol without a concealed pistol license, the law enforcement agency shall require the person to present satisfactory evidence of having lawfully transferred ownership of the pistol. The law enforcement agency shall require the person to produce the evidence within 15 days of the revocation of the license.

~~((3))~~ (4) When a licensee is ordered to forfeit a firearm under RCW 9.41.098(1)(d), the law enforcement agency shall:

(a) On the first forfeiture, revoke the license for one year;

(b) On the second forfeiture, revoke the license for two years;
or

(c) On the third or subsequent forfeiture, revoke the license for five years.

Any person whose license is revoked as a result of a forfeiture of a firearm under RCW 9.41.098(1)(d) may not reapply for a new license until the end of the revocation period.

~~((4))~~ (5) The law enforcement agency shall notify, in writing, the department of licensing of the revocation of a license. The department of licensing shall record the revocation.

Sec. 11. RCW 9.41.097 and 2023 c 161 s 6 are each amended to read as follows:

(1) The health care authority, mental health institutions, and other health care facilities shall, upon request of a court, law enforcement agency, or the state, supply such relevant information as is necessary to determine the eligibility of a person to possess a firearm, to be issued a permit to purchase firearms under section 2 of this act or a concealed pistol license under RCW 9.41.070, or to purchase a firearm under RCW 9.41.090.

(2) Mental health information received by: (a) The department of licensing pursuant to RCW 9.41.047 or 9.41.173; (b) an issuing authority pursuant to RCW 9.41.047 or 9.41.070; (c) a chief of police or sheriff pursuant to RCW 9.41.090 or 9.41.173; (d) a court or law enforcement agency pursuant to subsection (1) of this section; or (e) the Washington state patrol firearms background check program

pursuant to RCW 9.41.090, shall not be disclosed except as provided in RCW 42.56.240(4).

Sec. 12. RCW 9.41.0975 and 2023 c 161 s 7 are each amended to read as follows:

(1) The state, local governmental entities, any public or private agency, and the employees of any state or local governmental entity or public or private agency, acting in good faith, are immune from liability:

(a) For failure to prevent the sale or transfer of a firearm to a person whose receipt or possession of the firearm is unlawful;

(b) For preventing the sale or transfer of a firearm to a person who may lawfully receive or possess a firearm;

(c) For issuing a permit to purchase firearms, concealed pistol license, or alien firearm license to a person ineligible for such a license;

(d) For failing to issue a permit to purchase firearms, concealed pistol license, or alien firearm license to a person eligible for such a license;

(e) For revoking or failing to revoke an issued permit to purchase firearms, concealed pistol license, or alien firearm license;

(f) For errors in preparing or transmitting information as part of determining a person's eligibility to receive or possess a firearm, or eligibility for a permit to purchase firearms, concealed pistol license, or alien firearm license;

(g) For issuing a dealer's license to a person ineligible for such a license; or

(h) For failing to issue a dealer's license to a person eligible for such a license.

(2) An application may be made to a court of competent jurisdiction for a writ of mandamus:

(a) Directing an issuing agency to issue ~~((a concealed pistol license or))~~ an alien firearm license wrongfully refused;

~~(b) ((Directing the Washington state patrol firearms background check program to approve an application to purchase a firearm wrongfully denied;~~

~~(e))~~ Directing that erroneous information resulting either in the wrongful refusal to issue a permit to purchase firearms, concealed pistol license, or alien firearm license or in the wrongful

1 denial of ((a-purchase)) an application for the purchase or transfer
2 of a firearm be corrected; or

3 ((-d-)) (c) Directing a law enforcement agency to approve a
4 dealer's license wrongfully denied.

5 The application for the writ may be made in the county in which
6 the application for a permit to purchase firearms, concealed pistol
7 license, or alien firearm license or an application to purchase a
8 firearm was made, or in Thurston county, at the discretion of the
9 petitioner. A court shall provide an expedited hearing for an
10 application brought under this subsection (2) for a writ of mandamus.
11 A person granted a writ of mandamus under this subsection (2) shall
12 be awarded reasonable attorneys' fees and costs.

13 NEW SECTION. **Sec. 13.** A new section is added to chapter 9.41
14 RCW to read as follows:

15 (1) A person aggrieved by the denial or revocation of a permit to
16 purchase firearms or the denial of a purchase application for a
17 firearm may appeal by petition to the superior court having
18 jurisdiction over the county or municipality where the applicant
19 resides. The petition must be made within 30 days of the denial of
20 the permit application, revocation of a permit to purchase firearms,
21 or denial of an application to purchase firearms and a copy must be
22 delivered to the Washington state patrol firearms background check
23 program. The superior court must hold a hearing at the earliest
24 practicable date and no later than 30 days following the filing of
25 the petition for review. A filing fee is not required to obtain a
26 hearing under this section. The matter must be heard de novo without
27 a jury and the court must include written findings of fact and
28 conclusions of law in its ruling.

29 (2) A person aggrieved by the denial or revocation of a concealed
30 pistol license may appeal by petition to the superior court having
31 jurisdiction over the county or municipality where the applicant
32 resides. The petition must be made within 30 days of the denial of
33 the concealed pistol license application or revocation of the
34 concealed pistol license and a copy of the petition must be delivered
35 to the applicable police chief or sheriff of the local law
36 enforcement agency that denied the license application or revoked the
37 license. The superior court must hold a hearing at the earliest
38 practicable date and no later than 30 days following the filing of
39 the petition for review. A filing fee is not required to obtain a

1 hearing under this section. The matter must be heard de novo without
2 a jury and the court must include written findings of fact and
3 conclusions of law in its ruling.

4 **Sec. 14.** RCW 9.41.110 and 2024 c 288 s 1 are each amended to
5 read as follows:

6 (1) No dealer may sell or otherwise transfer, or expose for sale
7 or transfer, or have in (~~his or her~~) the dealer's possession with
8 intent to sell, or otherwise transfer, any pistol without being
9 licensed as provided in this section.

10 (2) No dealer may sell or otherwise transfer, or expose for sale
11 or transfer, or have in (~~his or her~~) the dealer's possession with
12 intent to sell, or otherwise transfer, any firearm other than a
13 pistol without being licensed as provided in this section.

14 (3) No dealer may sell or otherwise transfer, or expose for sale
15 or transfer, or have in (~~his or her~~) the dealer's possession with
16 intent to sell, or otherwise transfer, any ammunition without being
17 licensed as provided in this section.

18 (4) The duly constituted licensing authorities of any city, town,
19 or political subdivision of this state shall grant licenses in forms
20 prescribed by the director of licensing effective for not more than
21 one year from the date of issue permitting the licensee to sell
22 firearms within this state subject to the following conditions, for
23 breach of any of which the license shall be forfeited and the
24 licensee subject to punishment as provided in this chapter. A
25 licensing authority shall forward a copy of each license granted to
26 the department of licensing. The department of licensing shall notify
27 the department of revenue of the name and address of each dealer
28 licensed under this section. Any law enforcement agency acting within
29 the scope of its jurisdiction may investigate a breach of the
30 licensing conditions established in this chapter.

31 (5)(a) A licensing authority shall, within 30 days after the
32 filing of an application of any person for a dealer's license,
33 determine whether to grant the license. However, if the applicant
34 does not have a valid permanent Washington driver's license or
35 Washington state identification card, or has not been a resident of
36 the state for the previous consecutive 90 days, the licensing
37 authority shall have up to 60 days to determine whether to issue a
38 license. No person shall qualify for a license under this section
39 without first receiving a federal firearms license and undergoing

1 fingerprinting and a background check. In addition, no person
2 ineligible to possess a firearm under RCW 9.41.040 or ineligible for
3 a concealed pistol license under RCW 9.41.070 shall qualify for a
4 dealer's license.

5 (b) A dealer shall require every employee who may sell a firearm
6 in the course of ((~~his or her~~)) employment to undergo fingerprinting
7 and a background check in advance of engaging in the sale or transfer
8 of firearms and to undergo a background check annually thereafter. An
9 employee must be at least 21 years of age, eligible to possess a
10 firearm, and must not have been convicted of a crime that would make
11 the person ineligible for a concealed pistol license, before being
12 permitted to sell a firearm. Every employee shall comply with
13 requirements concerning purchase applications and restrictions on
14 delivery of firearms that are applicable to dealers.

15 (6) As a condition of licensure, a dealer shall annually certify
16 to the licensing authority, in writing and under penalty of perjury,
17 that the dealer is in compliance with each licensure requirement
18 established in this section.

19 (7)(a) Except as otherwise provided in (b) of this subsection,
20 the business shall be carried on only in the building designated in
21 the license. For the purpose of this section, advertising firearms
22 for sale shall not be considered the carrying on of business.

23 (b) A dealer may conduct business temporarily at a location other
24 than the building designated in the license, if the temporary
25 location is within Washington state and is the location of a gun show
26 sponsored by a national, state, or local organization, or an
27 affiliate of any such organization, devoted to the collection,
28 competitive use, or other sporting use of firearms in the community.
29 Nothing in this subsection (7)(b) authorizes a dealer to conduct
30 business in or from a motorized or towed vehicle.

31 In conducting business temporarily at a location other than the
32 building designated in the license, the dealer shall comply with all
33 other requirements imposed on dealers by RCW 9.41.090, 9.41.100, and
34 this section. The license of a dealer who fails to comply with the
35 requirements of RCW 9.41.080 and 9.41.090 and subsection (16) of this
36 section while conducting business at a temporary location shall be
37 revoked, and the dealer shall be permanently ineligible for a
38 dealer's license.

39 (8) The license or a copy thereof, certified by the issuing
40 authority, shall be displayed on the premises in the area where

1 firearms are sold, or at the temporary location, where it can easily
2 be read.

3 (9)(a) The business building location designated in the license
4 shall be secured:

5 (i) With at least one of the following features designed to
6 prevent unauthorized entry, which must be installed on each exterior
7 door and window of the place of business:

8 (A) Bars or grates;

9 (B) Security screens; or

10 (C) Commercial grade metal doors; and

11 (ii) With a security alarm system that is:

12 (A) Properly installed and maintained in good condition;

13 (B) Monitored by a remote central station that can contact law
14 enforcement in the event of an alarm;

15 (C) Capable of real-time monitoring of all exterior doors and
16 windows, and all areas where firearms are stored; and

17 (D) Equipped with, at minimum, detectors that can perceive entry,
18 motion, and sound.

19 (b) It is not a violation of this subsection if any security
20 feature or system becomes temporarily inoperable through no fault of
21 the dealer.

22 (10)(a) Dealers shall secure each firearm during business hours,
23 except when the firearm is being shown to a customer, repaired, or
24 otherwise worked on, in a manner that prevents a customer or other
25 member of the public from accessing or using the firearm, which may
26 include keeping the firearm in a locked container or in a locked
27 display case.

28 (b) Other than during business hours, all firearms shall be
29 secured (i) on the dealer's business premises in a locked fireproof
30 safe or vault, (ii) in a room or building that meets all requirements
31 of subsection (9)(a) of this section, or (iii) in a secured and
32 locked area under the dealer's control while the dealer is conducting
33 business at a temporary location.

34 (11)(a) A dealer shall ensure that its business location
35 designated in the license is monitored by a digital video
36 surveillance system that meets all of the following requirements:

37 (i) The system shall clearly record images and, for systems
38 located inside the premises, audio, of the area under surveillance;

39 (ii) Each camera shall be permanently mounted in a fixed
40 location. Cameras shall be placed in locations that allow the camera

1 to clearly record activity occurring in all areas described in
2 (a)(iii) of this subsection and reasonably produce recordings that
3 allow for the clear identification of any person;

4 (iii) The areas recorded shall include, but are not limited to,
5 all of the following:

6 (A) Interior views of all exterior doors, windows, and any other
7 entries or exits to the premises;

8 (B) All areas where firearms are displayed; and

9 (C) All points of sale, sufficient to identify the parties
10 involved in the transaction;

11 (iv) The system shall be capable of recording 24 hours per day at
12 a frame rate no less than 15 frames per second, and must either (A)
13 record continuously or (B) be activated by motion and remain active
14 for at least 15 seconds after motion ceases to be detected;

15 (v) The media or device on which recordings are stored shall be
16 secured in a manner to protect the recording from tampering,
17 unauthorized access or use, or theft;

18 (vi) Recordings shall be maintained for a minimum of 90 days for
19 all recordings of areas where firearms are displayed and points of
20 sale, and for a minimum of 45 days for all recordings of interior
21 views of exterior doors, windows, and any other entries or exits;

22 (vii) Recorded images shall clearly and accurately display the
23 date and time;

24 (viii) The system shall be equipped with a failure notification
25 system that provides notification to the licensee of any interruption
26 or failure of the system or storage device.

27 (b) A licensed dealer shall not use, share, allow access to, or
28 otherwise release surveillance recordings, to any person except as
29 follows:

30 (i) A dealer shall allow access to the system or release
31 recordings to any person pursuant to search warrant or other court
32 order.

33 (ii) A dealer may allow access to the system or release
34 recordings to any person in response to an insurance claim or as part
35 of the civil discovery process including, but not limited to, in
36 response to subpoenas, request for production or inspection, or other
37 court order.

38 (c) The dealer shall post a sign in a conspicuous place at each
39 entrance to the premises that states in block letters not less than

one inch in height: "THESE PREMISES ARE UNDER VIDEO AND AUDIO SURVEILLANCE. YOUR IMAGE AND CONVERSATIONS MAY BE RECORDED."

(d) This section does not preclude any local authority or local governing body from adopting or enforcing local laws or policies regarding video surveillance that do not contradict or conflict with the requirements of this section.

(e) It is not a violation of this subsection if the surveillance system becomes temporarily inoperable through no fault of the dealer.

(12) A dealer shall:

(a) Promptly review and respond to all requests from law enforcement agencies and officers, including trace requests and requests for documents and records, as soon as practicably possible and no later than 24 hours after learning of the request;

(b) Promptly notify local law enforcement agencies and the bureau of alcohol, tobacco, firearms and explosives of any loss, theft, or unlawful transfer of any firearm or ammunition as soon as practicably possible and no later than 24 hours after the dealer knows or should know of the reportable event.

(13) A dealer shall:

(a) Establish and maintain a book, or if the dealer should choose, an electronic-based record of purchase, sale, inventory, and other records at the dealer's place of business and shall make all such records available to law enforcement upon request. Such records shall at a minimum include the make, model, caliber or gauge, manufacturer's name, and serial number of all firearms that are acquired or disposed of not later than one business day after their acquisition or disposition;

(b) Maintain monthly backups of the records required by (a) of this subsection in a secure container designed to prevent loss by fire, theft, or flood. If the dealer chooses to maintain an electronic-based record system, those records shall be backed up on an external server or over the internet at the close of each business day;

(c) Account for all firearms acquired but not yet disposed of through an inventory check prepared each month and maintained in a secure location;

(d) Maintain and make available at any time to government law enforcement agencies and to the manufacturer of the weapon or its designee, firearm disposition information, including the serial numbers of firearms sold, dates of sale, and identity of purchasers;

1 (e) Retain all bureau of alcohol, tobacco, firearms and
2 explosives form 4473 transaction records on the dealer's business
3 premises in a secure container designed to prevent loss by fire,
4 theft, or flood;

5 (f) Maintain for six years copies of trace requests received,
6 including notations for trace requests received by phone for six
7 years;

8 (g) Provide annual reporting to the Washington state attorney
9 general concerning trace requests, including at a minimum the
10 following:

11 (i) The total number of trace requests received;

12 (ii) For each trace, the make and model of the gun and date of
13 sale; and

14 (iii) Whether the dealer was inspected by the bureau of alcohol,
15 tobacco, firearms and explosives, and copies of any reports of
16 violations or letters received from the bureau of alcohol, tobacco,
17 firearms and explosives.

18 (14) The attorney general may create, publish, and require
19 firearm dealers to file a uniform form for all annual dealer reports
20 required by subsection (13)(g) of this section.

21 (15) A dealer shall carry a general liability insurance policy
22 providing at least \$1,000,000 of coverage per incident.

23 (16)(a) No firearm may be sold or transferred: (i) In violation
24 of any provisions of this chapter; nor (ii) under any circumstances
25 unless the purchaser or transferee is personally known to the dealer
26 or shall present clear evidence of ~~((his or her))~~ the purchaser's or
27 transferee's identity and the purchaser or transferee presents a
28 valid permit to purchase firearms.

29 (b) A dealer who sells or delivers any firearm in violation of
30 RCW 9.41.080 is guilty of a class C felony. In addition to any other
31 penalty provided for by law, the dealer is subject to mandatory
32 permanent revocation of ~~((his or her))~~ the dealer's license and
33 permanent ineligibility for a dealer's license.

34 (c) The license fee for pistols shall be one hundred twenty-five
35 dollars. The license fee for firearms other than pistols shall be one
36 hundred twenty-five dollars. The license fee for ammunition shall be
37 one hundred twenty-five dollars. Any dealer who obtains any license
38 under subsection (1), (2), or (3) of this section may also obtain the
39 remaining licenses without payment of any fee. The fees received
40 under this section shall be deposited in the state general fund.

1 (17)(a) A true record shall be made of every (~~pistol or~~
2 ~~semiautomatic assault rifle~~) firearm sold(~~(, in a book kept for the~~
3 ~~purpose, the form of which may be prescribed by the director of~~
4 ~~licensing and shall be personally signed by the purchaser and by the~~
5 ~~person effecting the sale, each in the presence of the other, and)~~
6 or transferred, which shall contain the date of sale, the caliber,
7 make, model and manufacturer's number of the weapon, the name,
8 address, occupation, and place of birth of the purchaser or
9 transferee, the identification number of the purchaser's or
10 transferee's permit to purchase firearms, and a statement signed by
11 the purchaser or transferee that (~~he or she~~) the purchaser or
12 transferee is not ineligible under state or federal law to possess a
13 firearm. (~~The dealer shall retain the transfer record for six~~
14 ~~years.~~)

15 (b) The dealer shall transmit the information from the firearm
16 transfer application, and the information from the sale or transfer
17 record, through secure automated firearms e-check (SAFE) to the
18 Washington state patrol firearms background check program. The
19 Washington state patrol firearms background check program shall
20 transmit the application information for (~~pistol and semiautomatic~~
21 ~~assault rifle~~) firearm transfer applications and firearm sale or
22 transfer records to the director of licensing daily. (~~The original~~
23 ~~application shall be retained by the dealer for six years.~~)

24 (18) Subsections (2) through (17) of this section shall not apply
25 to sales at wholesale.

26 (19) Subsections (6) and (9) through (15) of this section shall
27 not apply to dealers with a sales volume of \$1,000 or less per month
28 on average over the preceding 12 months. A dealer that previously
29 operated under this threshold and subsequently exceeds it must comply
30 with the requirements of subsections (6) and (9) through (15) of this
31 section within one year of exceeding the threshold.

32 (20) The dealer's licenses authorized to be issued by this
33 section are general licenses covering all sales by the licensee
34 within the effective period of the licenses. The department shall
35 provide a single application form for dealer's licenses and a single
36 license form which shall indicate the type or types of licenses
37 granted.

38 (21) Except as otherwise provided in this chapter, every city,
39 town, and political subdivision of this state is prohibited from

1 requiring the purchaser to secure a permit to purchase or from
2 requiring the dealer to secure an individual permit for each sale.

3 **Sec. 15.** RCW 9.41.129 and 2019 c 3 s 14 are each amended to read
4 as follows:

5 The department of licensing shall keep copies or records of
6 applications for concealed pistol licenses provided for in RCW
7 9.41.070, copies or records of applications for alien firearm
8 licenses, copies or records of applications ~~((to))~~ for the purchase
9 ~~((pistols or semiautomatic assault rifles))~~ or transfer of firearms
10 provided for in RCW 9.41.090, and copies or records of ~~((pistol or~~
11 ~~semiautomatic assault rifle))~~ firearm transfers provided for in RCW
12 9.41.110. The copies and records shall not be disclosed except as
13 provided in RCW 42.56.240(4).

14 **Sec. 16.** RCW 9.41.270 and 1994 sp.s. c 7 s 426 are each amended
15 to read as follows:

16 (1) It shall be unlawful for any person to carry, exhibit,
17 display, or draw any firearm, dagger, sword, knife or other cutting
18 or stabbing instrument, club, or any other weapon apparently capable
19 of producing bodily harm, in a manner, under circumstances, and at a
20 time and place that either manifests an intent to intimidate another
21 or that warrants alarm for the safety of other persons.

22 (2) Any person violating the provisions of subsection (1) above
23 shall be guilty of a gross misdemeanor. If any person is convicted of
24 a violation of subsection (1) of this section, the person shall lose
25 ~~((his or her))~~ the person's concealed pistol license and permit to
26 purchase firearms, if any. The court shall send notice of the
27 required revocation of any concealed pistol license to the department
28 of licensing, and the city, town, or county which issued the license,
29 and notice of the required revocation of any permit to purchase
30 firearms to the Washington state patrol firearms background check
31 program.

32 (3) Subsection (1) of this section shall not apply to or affect
33 the following:

34 (a) Any act committed by a person while in ~~((his or her))~~ the
35 person's place of abode or fixed place of business;

36 (b) Any person who by virtue of ~~((his or her))~~ the person's
37 office or public employment is vested by law with a duty to preserve

1 public safety, maintain public order, or to make arrests for
2 offenses, while in the performance of such duty;

3 (c) Any person acting for the purpose of protecting himself or
4 herself against the use of presently threatened unlawful force by
5 another, or for the purpose of protecting another against the use of
6 such unlawful force by a third person;

7 (d) Any person making or assisting in making a lawful arrest for
8 the commission of a felony; or

9 (e) Any person engaged in military activities sponsored by the
10 federal or state governments.

11 **Sec. 17.** RCW 7.105.350 and 2021 c 215 s 47 are each amended to
12 read as follows:

13 (1) The clerk of the court shall enter any extreme risk
14 protection order, including temporary extreme risk protection orders,
15 issued under this chapter into a statewide judicial information
16 system on the same day such order is issued, if possible, but no
17 later than the next judicial day.

18 (2) A copy of an extreme risk protection order granted under this
19 chapter, including temporary extreme risk protection orders, must be
20 forwarded immediately by the clerk of the court, by electronic means
21 if possible, to the law enforcement agency specified in the order.
22 Upon receipt of the order, the law enforcement agency shall
23 immediately enter the order into the national instant criminal
24 background check system, any other federal or state computer-based
25 systems used by law enforcement or others to identify prohibited
26 purchasers of firearms, and any computer-based criminal intelligence
27 information system available in this state used by law enforcement
28 agencies to list outstanding warrants. The order must remain in each
29 system for the period stated in the order, and the law enforcement
30 agency shall only expunge orders from the systems that have expired
31 or terminated. Entry into the computer-based criminal intelligence
32 information system constitutes notice to all law enforcement agencies
33 of the existence of the order. The order is fully enforceable in any
34 county in the state.

35 (3) The information entered into the computer-based criminal
36 intelligence information system must include notice to law
37 enforcement whether the order was personally served, served by
38 electronic means, served by publication, or served by mail.

1 (4) If a law enforcement agency receives a protection order for
2 entry or service, but the order falls outside the agency's
3 jurisdiction, the agency may enter and serve the order or may
4 immediately forward it to the appropriate law enforcement agency for
5 entry and service, and shall provide documentation back to the court
6 verifying which law enforcement agency has entered and will serve the
7 order.

8 (5) The issuing court shall, within three judicial days after the
9 issuance of any extreme risk protection order, including a temporary
10 extreme risk protection order, forward a copy of the respondent's
11 driver's license or identicard, or comparable information, along with
12 the date of order issuance, to the department of licensing and the
13 Washington state patrol firearms background check program. Upon
14 receipt of the information, the department of licensing shall
15 determine if the respondent has a concealed pistol license. If the
16 respondent does have a concealed pistol license, the department of
17 licensing shall immediately notify a law enforcement agency that the
18 court has directed the revocation of the license. The law enforcement
19 agency, upon receipt of such notification, shall immediately revoke
20 the license. Upon receipt of the information, the Washington state
21 patrol firearms background check program shall determine if the
22 respondent has a permit to purchase firearms. If the respondent does
23 have a permit to purchase firearms, the Washington state patrol
24 firearms background check program shall immediately revoke the
25 permit.

26 (6) If an extreme risk protection order is terminated before its
27 expiration date, the clerk of the court shall forward on the same day
28 a copy of the termination order to the department of licensing and
29 the law enforcement agency specified in the termination order. Upon
30 receipt of the order, the law enforcement agency shall promptly
31 remove the order from any computer-based system in which it was
32 entered pursuant to subsection (2) of this section.

33 **Sec. 18.** RCW 43.43.580 and 2024 c 289 s 7 are each amended to
34 read as follows:

35 (1) The Washington state patrol shall establish a firearms
36 background check program to serve as a centralized single point of
37 contact for dealers to conduct background checks for firearms sales
38 or transfers required under chapter 9.41 RCW and the federal Brady
39 handgun violence prevention act (18 U.S.C. Sec. 921 et seq.). The

1 Washington state patrol shall establish an automated firearms
2 background check system to conduct background checks on applicants
3 for the purchase or transfer of a firearm. The system must include
4 the following characteristics:

5 (a) Allow a dealer to contact the Washington state patrol through
6 a web portal or other electronic means and by telephone to request a
7 background check of an applicant for the purchase or transfer of a
8 firearm;

9 (b) Provide a dealer with a notification that a firearm purchase
10 or transfer application has been received;

11 (c) Assign a unique identifier to the background check inquiry;

12 (d) Provide an automated response to the dealer indicating
13 whether the transfer may proceed or is denied, or that the check is
14 indeterminate and will require further investigation;

15 (e) Include measures to ensure data integrity and the
16 confidentiality and security of all records and data transmitted and
17 received by the system; and

18 (f) Include a performance metrics tracking system to evaluate the
19 performance of the background check system.

20 (2) Upon receipt of a request from a dealer for a background
21 check in connection with the sale or transfer of a firearm, the
22 Washington state patrol shall:

23 (a) Provide the dealer with a notification that a firearm
24 transfer application has been received;

25 (b) Conduct a check of the national instant criminal background
26 check system and the following additional records systems to
27 determine whether the transferee is prohibited from possessing a
28 firearm under state or federal law: (i) The Washington crime
29 information center and Washington state identification system; (ii)
30 the health care authority electronic database; (iii) the federal
31 bureau of investigation national data exchange database and any
32 available repository of statewide local law enforcement record
33 management systems information; (iv) the administrative office of the
34 courts case management system; and (v) other databases or resources
35 as appropriate;

36 (c) Perform an equivalency analysis on criminal charges in
37 foreign jurisdictions to determine if the applicant has been
38 convicted as defined in RCW 9.41.040(3) and if the offense is
39 equivalent to a Washington felony as defined in RCW 9.41.010;

1 (d) Notify the dealer without delay that the records indicate the
2 individual is prohibited from possessing a firearm and the transfer
3 is denied or that the individual is approved to complete the
4 transfer. If the results of the background check are indeterminate,
5 the Washington state patrol shall notify the dealer of the delay and
6 conduct necessary research and investigation to resolve the inquiry;
7 and

8 (e) Provide the dealer with a unique identifier for the inquiry.

9 (3) The Washington state patrol may hold the delivery of a
10 firearm to an applicant under the circumstances provided in RCW
11 9.41.090 (~~((4) and (5))~~) (3).

12 (4)(a) The Washington state patrol shall require a dealer to
13 charge each firearm purchaser or transferee a fee for performing
14 background checks in connection with firearms transfers. The fee must
15 be set at an amount necessary to cover the annual costs of operating
16 and maintaining the firearm background check system but shall not
17 exceed eighteen dollars. The Washington state patrol shall transmit
18 the fees collected to the state treasurer for deposit in the state
19 firearms background check system account created in RCW 43.43.590.
20 (~~((It is the intent of the legislature that once the state firearm~~
21 ~~background check system is established, the fee established in this~~
22 ~~section will replace the fee required in RCW 9.41.090(7).))~~)

23 (b) The background check fee required under this subsection does
24 not apply to any background check conducted in connection with a
25 pawnbroker's receipt of a pawned firearm or the redemption of a
26 pawned firearm.

27 (5) The Washington state patrol shall establish a procedure for a
28 person who has been denied a firearms transfer as the result of a
29 background check to appeal the denial to the Washington state patrol
30 and to obtain information on the basis for the denial and procedures
31 to review and correct any erroneous records that led to the denial.

32 (6) The Washington state patrol shall work with the
33 administrative office of the courts to build a link between the
34 firearm background check system and the administrative office of the
35 courts case management system for the purpose of accessing court
36 records to determine a person's eligibility to possess a firearm.

37 (7) Upon establishment of the firearm background check system
38 under this section, the Washington state patrol shall notify each
39 dealer in the state of the existence of the system, and the dealer
40 must use the system to conduct background checks for firearm sales or

1 transfers beginning on the date that is thirty days after issuance of
2 the notification.

3 (8) The Washington state patrol shall consult with the Washington
4 background check advisory board created in RCW 43.43.585 in carrying
5 out its duties under this section.

6 (9) No later than July 1, 2025, and annually thereafter, the
7 Washington state patrol firearms background check program shall
8 report to the appropriate committees of the legislature the average
9 time between receipt of request for a background check and final
10 decision.

11 (10) All records and information prepared, obtained, used, or
12 retained by the Washington state patrol in connection with a request
13 for a firearm background check are exempt from public inspection and
14 copying under chapter 42.56 RCW.

15 (11) The Washington state patrol may adopt rules necessary to
16 carry out the purposes of this section.

17 (12) For the purposes of this section, "dealer" has the same
18 meaning as given in RCW 9.41.010.

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

23 NEW SECTION. **Sec. 20.** Except for section 6 of this act, this
24 act takes effect November 1, 2026.

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