

CERTIFICATION OF ENROLLMENT

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1163

Chapter 370, Laws of 2025

69th Legislature
2025 Regular Session

FIREARMS—PURCHASE AND TRANSFER—PERMIT

EFFECTIVE DATE: May 1, 2027—Except for section 6, which takes effect
July 27, 2025.

Passed by the House April 22, 2025
Yeas 57 Nays 39

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate April 14, 2025
Yeas 29 Nays 19

DENNY HECK

President of the Senate

Approved May 20, 2025 9:51 AM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1163** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 21, 2025

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1163

AS AMENDED BY THE SENATE

Passed Legislature - 2025 Regular Session

State of Washington

69th Legislature

2025 Regular Session

By House Appropriations (originally sponsored by Representatives Berry, Taylor, Farivar, Walen, Pollet, Alvarado, Mena, Duerr, Reed, Ryu, Parshley, Ramel, Fitzgibbon, Callan, Macri, Cortes, Obras, Doglio, Gregerson, Simmons, Peterson, Street, Goodman, Wylie, Fey, Kloba, Berg, Davis, Fosse, Salahuddin, Hill, and Tharinger)

READ FIRST TIME 02/28/25.

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 new sections; 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) The Washington state patrol firearms background check program
31 shall notify the dealer that delivery of the firearm must be delayed
32 in any case where it cannot confirm the applicant's identity or
33 determine the applicant's eligibility to purchase and possess a
34 firearm due to disposition records in this state or elsewhere
35 reflecting: (i) Open criminal charges; (ii) pending criminal charges;
36 (iii) pending commitment proceedings; or (iv) an arrest for an
37 offense making a person ineligible to possess a firearm under RCW
38 9.41.040.

39 (4) (a) At the time of applying for the purchase of a firearm, the
40 (~~purchaser~~) applicant shall (~~sign and deliver to the dealer an~~

1 ~~application containing~~) provide the firearm dealer the application
2 information necessary to submit the background check to the
3 Washington state patrol background check system, including:

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

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

7 (iii) The applicant's driver's license number or state
8 identification card number;

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

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

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

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

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

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

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

37 (c) The dealer shall ~~((, by the end of the business day,))~~
38 transmit the information from the application through secure
39 automated firearms e-check (SAFE) to the Washington state patrol

1 firearms background check program. (~~The original application shall~~
2 ~~be retained by the dealer for six years.~~)

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

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

12 (~~(4)~~) (5) A person who knowingly makes a false statement
13 regarding identity or eligibility requirements on the application to
14 purchase a firearm is guilty of false swearing under RCW 9A.72.040.

15 (~~(5)~~) (6) This section does not apply to sales to licensed
16 dealers for resale or to the sale of antique firearms.

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

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

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

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

25 (b) A complete set of fingerprints taken by the local law
26 enforcement agency in the jurisdiction in which the applicant
27 resides;

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

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

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

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

37 (b) Residential address and current mailing address if different
38 from the residential address;

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

1 (d) Physical description;

2 (e) Race and gender;

3 (f) Telephone number and email address, at the option of the
4 applicant; and

5 (g) Electronic signature.

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

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

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

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

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

39 (ii) Is subject to a court order or injunction regarding firearms
40 issued pursuant to chapter 7.105, 9A.40, 9A.44, 9A.46, 9A.88, 10.99,

1 26.09, 26.26B, or 26.26A RCW, or any of the former chapters 10.14,
2 26.10, and 26.50 RCW;

3 (iii) Has an outstanding warrant for the applicant's arrest from
4 any court of competent jurisdiction for a felony or misdemeanor
5 making a person ineligible to possess a firearm under RCW 9.41.040;
6 or

7 (iv) Has failed to produce a certificate of completion of a
8 certified firearms safety training program within the last five
9 years, or proof that the applicant is exempt from the training
10 requirement.

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

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

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

36 (9) The Washington state patrol firearms background check program
37 shall develop procedures to verify on an annual basis that persons
38 who have been issued a permit to purchase firearms remain eligible to
39 possess firearms under state and federal law and continue to meet
40 other firearm eligibility requirements. If a person is determined to

1 be ineligible, the Washington state patrol firearms background check
2 program shall revoke the permit under subsection (14) of this
3 section, and provide notification of the revocation and relevant
4 information to the chief of police or the sheriff of the jurisdiction
5 in which the permit holder resides so that local law enforcement may
6 take steps to ensure the permit holder is not illegally in possession
7 of firearms.

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

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

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

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

33 (12) The Washington state patrol firearms background check
34 program shall mail a renewal notice to the holder of a permit to
35 purchase firearms approximately 90 days before the expiration date of
36 the permit at the address listed on the application, or to the permit
37 holder's new address if the permit holder has notified the Washington
38 state patrol firearms background check program of a change of
39 address. If the permit holder provides an email address at the time
40 of application, the Washington state patrol firearms background check

1 program may send the renewal notice to the permit holder's email
2 address. The notice must contain the date the permit to purchase
3 firearms will expire, the amount of the renewal fee, the penalty for
4 late renewal, and instructions on how to renew the permit to purchase
5 firearms.

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

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

15 (15) If a permit application is denied or a permit is revoked, a
16 person aggrieved by the denial or revocation is entitled to seek
17 relief of the denial or revocation in superior court pursuant to RCW
18 9.41.0975.

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

24 (a) The number of permit applications submitted, issued, and
25 denied;

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

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

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

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

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

37 (g) The number of cases that the Washington state patrol has
38 provided notice of permit revocations and relevant information to
39 local law enforcement agencies, and the number of cases that local
40 law enforcement agencies have taken action to remove firearms

1 purchased with a permit that was subsequently revoked and the number
2 of firearms recovered in such cases.

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

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

- 10 (a) Basic firearms safety rules;
- 11 (b) Firearms and children, including secure gun storage and
12 talking to children about gun safety;
- 13 (c) Firearms and suicide prevention;
- 14 (d) Secure gun storage to prevent unauthorized access and use;
- 15 (e) Safe handling of firearms;
- 16 (f) State and federal firearms laws, including prohibited
17 firearms transfers and locations where firearms are prohibited;
- 18 (g) State laws pertaining to the use of deadly force for self-
19 defense; ~~((and))~~

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

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

25 (2) As it relates to the renewal of a permit to purchase firearms
26 pursuant to section 2 of this act, the live-fire component of
27 subsection (1)(i) of this section must be completed within the last
28 10 years.

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

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

5 ~~((4))~~ (5) The firearms safety training requirement of this
6 section does 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; ~~((E))~~

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 (v) Tribal police officer;

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

30 (c) Upon showing proper identification, a person who is an armed
31 private investigator licensed pursuant to chapter 18.165 RCW. For the
32 purposes of this section, proper identification includes the armed
33 private investigator license card issued pursuant to RCW 18.165.080
34 or other written documentation certifying that the individual is a
35 licensed armed private investigator; or

36 (d) Upon showing proper identification, a person who is an armed
37 security guard licensed pursuant to chapter 18.170 RCW. For the
38 purposes of this section, proper identification includes the armed
39 security guard license card issued pursuant to RCW 18.170.070 or

1 other written documentation certifying that the individual is a
2 licensed armed security guard.

3 (6) The exceptions to the firearms safety training requirement
4 established in subsection (5)(c) and (d) of this section shall only
5 apply so long as the criminal justice training commission's private
6 security firearms certificate training meets the requirements of this
7 section.

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

10 The Washington state patrol shall establish a program to provide
11 certifications for firearms safety training programs that meet the
12 requirements of RCW 9.41.070 and 9.41.1132, and to require certified
13 firearms safety programs to apply for recertification every five
14 years. The Washington state patrol shall develop the form and manner
15 of documentation for applicants for permits to purchase firearms to
16 provide proof of completion of a certified firearms safety training
17 program, for concealed pistol license applicants to provide proof of
18 completion of a certified concealed carry firearms safety training
19 program, and for use as proof of qualifying for an exemption from the
20 firearms safety training requirement or concealed carry firearms
21 safety training requirement.

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

24 The state firearms background check system account is created in
25 the custody of the state treasurer. All receipts under RCW 43.43.580
26 and section 2 of this act must be deposited into the account.
27 Expenditures from the account may be used only for the creation,
28 operation, and maintenance of the automated firearms background check
29 system under RCW 43.43.580, and for costs incurred in establishing
30 and administering the permit to purchase firearms program under
31 section 2 of this act. Only the chief of the Washington state patrol
32 or the chief's designee may authorize expenditures from the account.
33 The account is subject to allotment procedures under chapter 43.88
34 RCW, but an appropriation is not required for expenditures. The
35 account must provide reimbursement of any amounts appropriated for
36 the purposes of initial establishment of the permit to purchase
37 firearms program by June 30, 2029.

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

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

6 A local law enforcement agency taking fingerprints pursuant to
7 section 2 of this act may charge a reasonable fee to recover as
8 nearly as practicable the direct and indirect costs to the local law
9 enforcement agency of taking and transmitting the fingerprints. A
10 local law enforcement agency taking fingerprints pursuant to section
11 2 of this act must check for valid existing warrants for arrest of
12 the applicant.

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

15 (1) (a) At the time a person is convicted or found not guilty by
16 reason of insanity of an offense making the person ineligible to
17 possess a firearm under state or federal law, including if the person
18 was convicted of possession under RCW 69.50.4011, 69.50.4013,
19 69.50.4014, or 69.41.030, or at the time a person is committed by
20 court order under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, or
21 chapter 10.77 RCW for treatment for a mental disorder, or at the time
22 that charges are dismissed based on incompetency to stand trial under
23 RCW 10.77.086, or the charges are dismissed based on incompetency to
24 stand trial under RCW 10.77.088 and the court makes a finding that
25 the person has a history of one or more violent acts, the court shall
26 notify the person, orally and in writing, that the person must
27 immediately surrender all firearms to their local law enforcement
28 agency and any concealed pistol license and that the person may not
29 possess a firearm unless the person's right to do so is restored by
30 the superior court that issued the order.

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

1 (c) The court shall forward within three judicial days following
2 commitment by court order under RCW 71.05.240, 71.05.320, 71.34.740,
3 71.34.750, or chapter 10.77 RCW, for treatment for a mental disorder,
4 or upon dismissal of charges based on incompetency to stand trial
5 under RCW 10.77.086, or the charges are dismissed based on
6 incompetency to stand trial under RCW 10.77.088 when the court makes
7 a finding that the person has a history of one or more violent acts,
8 a copy of the person's driver's license or identicard, or comparable
9 information such as the person's name, address, and date of birth,
10 along with the date of commitment or date charges are dismissed, to
11 the national instant criminal background check system index, denied
12 persons file, created by the federal Brady handgun violence
13 prevention act (P.L. 103-159), and to the department of licensing,
14 Washington state patrol firearms background check program, and the
15 criminal division of the county prosecutor in the county of
16 commitment or the county in which charges are dismissed. The
17 petitioning party shall provide the court with the information
18 required. If more than one commitment order is entered under one
19 cause number, only one notification to the national instant criminal
20 background check system, the department of licensing, the Washington
21 state patrol firearms background check program, and the criminal
22 division of the county prosecutor in the county of commitment or
23 county in which charges are dismissed is required.

24 (2)(a) Upon receipt of the information provided in subsection (1)
25 of this section, the Washington state patrol firearms background
26 check program shall determine if the convicted or committed person,
27 or the person whose charges are dismissed based on incompetency to
28 stand trial, has a permit to purchase firearms. If the person does
29 have a permit to purchase firearms, the Washington state patrol
30 firearms background check program shall immediately revoke the
31 permit.

32 (b) Upon receipt of the information provided for by subsection
33 (1) of this section, the department of licensing shall determine if
34 the person has a concealed pistol license. If the person has a
35 concealed pistol license, the department of licensing shall
36 immediately notify ((the license-issuing authority which, upon)) the
37 issuing law enforcement agency that the court has directed revocation
38 of the license. Upon receipt of such notification, the issuing law
39 enforcement agency shall immediately revoke the license.

1 (3) (a) A person who is prohibited from possessing a firearm, by
2 reason of having been involuntarily committed for treatment for a
3 mental disorder under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750,
4 chapter 10.77 RCW, or equivalent statutes of another jurisdiction, or
5 by reason of having been detained under RCW 71.05.150 or 71.05.153,
6 or because the person's charges were dismissed based on incompetency
7 to stand trial under RCW 10.77.086, or the charges were dismissed
8 based on incompetency to stand trial under RCW 10.77.088 and the
9 court made a finding that the person has a history of one or more
10 violent acts, may, upon discharge, petition the superior court to
11 have (~~his or her~~) the person's right to possess a firearm restored,
12 except that a person found not guilty by reason of insanity may not
13 petition for restoration of the right to possess a firearm until one
14 year after discharge.

15 (b) The petition must be brought in the superior court that
16 ordered the involuntary commitment or dismissed the charges based on
17 incompetency to stand trial or the superior court of the county in
18 which the petitioner resides.

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

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

25 (ii) The person petitioning for restoration of firearm rights has
26 successfully managed the condition related to the commitment or
27 detention or incompetency;

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

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

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

34 (d) If a preponderance of the evidence in the record supports a
35 finding that the person petitioning for restoration of firearm rights
36 has engaged in violence and that it is more likely than not that the
37 person will engage in violence after the person's right to possess a
38 firearm is restored, the person petitioning for restoration of
39 firearm rights shall bear the burden of proving by clear, cogent, and

1 convincing evidence that the person does not present a substantial
2 danger to the safety of others.

3 (e) If the person seeking restoration of firearm rights seeks
4 restoration after having been detained under RCW 71.05.150 or
5 71.05.153, the state shall bear the burden of proof to show, by a
6 preponderance of the evidence, that the person does not meet the
7 restoration criteria in (c) of this subsection.

8 (f) When a person's right to possess a firearm has been restored
9 under this subsection, the court shall forward, within three judicial
10 days after entry of the restoration order, notification that the
11 person's right to possess a firearm has been restored to the
12 department of licensing and the Washington state patrol criminal
13 records division, with a copy of the person's driver's license or
14 identicard, or comparable identification such as the person's name,
15 address, and date of birth, and to the health care authority, and the
16 national instant criminal background check system index, denied
17 persons file. In the case of a person whose right to possess a
18 firearm has been suspended for six months as provided in RCW
19 71.05.182, the department of licensing shall forward notification of
20 the restoration order to the licensing authority, which, upon receipt
21 of such notification, shall immediately lift the suspension,
22 restoring the person's concealed pistol license.

23 (4) No person who has been found not guilty by reason of insanity
24 may petition a court for restoration of the right to possess a
25 firearm unless the person meets the requirements for the restoration
26 of the right to possess a firearm under RCW 9.41.041.

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

29 (1) The chief of police of a municipality or the sheriff of a
30 county shall within thirty days after the filing of an application of
31 any person, issue a license to such person to carry a concealed
32 pistol (~~(concealed on his or her person)~~) within this state for five
33 years from date of issue, for the purposes of protection or while
34 engaged in business, sport, or while traveling. However, if the
35 applicant does not have a valid permanent Washington driver's license
36 or Washington state identification card or has not been a resident of
37 the state for the previous consecutive ninety days, the issuing
38 authority shall have up to sixty days after the filing of the
39 application to issue a license. The issuing authority shall not

1 refuse to accept completed applications for concealed pistol licenses
2 during regular business hours.

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

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

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

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

12 (d) ~~((He or she is))~~ Is subject to a court order or injunction
13 regarding firearms pursuant to chapter 7.105 RCW, or RCW 9A.46.080,
14 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.26B.020, or
15 26.26A.470, or any of the former RCW 10.14.080, 26.10.115, 26.50.060,
16 and 26.50.070;

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

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

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

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

31 No person convicted of a felony may have ~~((his or her))~~ the
32 person's right to possess firearms restored or ~~((his or her))~~
33 privilege to carry a concealed pistol restored, unless the person has
34 been granted relief from disabilities by the attorney general under
35 18 U.S.C. Sec. 925(c), or RCW 9.41.040 (3) or (4) applies.

36 (2)(a) The issuing authority shall conduct a check through the
37 national instant criminal background check system, the Washington
38 state patrol electronic database, the administrative office of the
39 courts, LINX-NW, the health care authority electronic database, and
40 with other agencies or resources as appropriate, to determine whether

1 the applicant is ineligible under RCW 9.41.040 or 9.41.045 to possess
2 a firearm, or is prohibited from possessing a firearm under federal
3 or state law, and therefore ineligible for a concealed pistol
4 license.

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

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

12 (d) A background check for an original license must be conducted
13 through the Washington state patrol criminal identification section
14 and shall include a national check from the federal bureau of
15 investigation through the submission of fingerprints. The results
16 will be returned to the issuing authority. The applicant may request
17 and receive a copy of the results of the background check from the
18 issuing authority. If the applicant seeks to amend or correct their
19 record, the applicant must contact the Washington state patrol for a
20 Washington state record or the federal bureau of investigation for
21 records from other jurisdictions. An applicant presenting a valid
22 permit to purchase firearms is exempt from the fingerprint check
23 requirement in a concealed pistol license application.

24 (e)(i) If an application for a concealed pistol license is
25 denied, the issuing authority shall send the applicant a written
26 notice of the denial citing the specific statute under which the
27 application is denied, and providing specific details regarding the
28 grounds for denial in compliance with rules governing the
29 dissemination of criminal history information. If the applicant
30 provides an email address at the time of application, the issuing
31 authority may send the denial notice to the applicant's email
32 address. The written notice also must include information on the
33 procedure for an applicant to request that the issuing authority
34 reconsider the denial of the application.

35 (ii) If the issuing authority after reconsideration upholds the
36 decision to deny the application, the applicant may seek judicial
37 relief of the denial in superior court pursuant to RCW 9.41.0975.

38 (3) Any person whose firearms rights have been restricted and who
39 has been granted relief from disabilities by the attorney general
40 under 18 U.S.C. Sec. 925(c) or who is exempt under 18 U.S.C. Sec.

1 921(a)(20)(A) shall have (~~his or her~~) the person's right to
2 acquire, receive, transfer, ship, transport, carry, and possess
3 firearms in accordance with Washington state law restored except as
4 otherwise prohibited by this chapter.

5 (4) The license application shall bear the full name, residential
6 address, telephone number at the option of the applicant, email
7 address at the option of the applicant, date and place of birth,
8 race, gender, physical description, a complete set of fingerprints
9 unless the applicant presents a valid permit to purchase firearms
10 issued under section 2 of this act, (~~and~~) signature of the
11 licensee, and the licensee's driver's license number or state
12 identification card number if used for identification in applying for
13 the license. A signed application for a concealed pistol license
14 shall constitute a waiver of confidentiality and written request that
15 the health care authority, mental health institutions, and other
16 health care facilities release information relevant to the
17 applicant's eligibility for a concealed pistol license to an
18 inquiring court or law enforcement agency.

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

23 The license and application shall contain a warning substantially
24 as follows:

25 CAUTION: Although state and local laws do not differ, federal
26 law and state law on the possession of firearms differ. If
27 you are prohibited by federal law from possessing a firearm,
28 you may be prosecuted in federal court. A state license is
29 not a defense to a federal prosecution.

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

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

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

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

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

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

18 (5)(a) The training required for issuance of a license under this
19 section must be from a concealed carry firearms safety training
20 program certified under section 4 of this act that includes live-fire
21 shooting exercises on a firing range that include a demonstration by
22 the applicant of the safe handling of, and shooting proficiency with,
23 firearms, including a minimum of 50 rounds of ammunition firing
24 training at a firing range under the supervision of an instructor.

25 (b) Concealed pistol license applicants are exempt from the
26 training requirement in this section if they can demonstrate they are
27 exempt under RCW 9.41.1132(5).

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

34 The fee shall be distributed as follows:

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

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

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

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

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

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

9 The renewal fee shall be distributed as follows:

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

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

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

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

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

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

23 ~~((9))~~ (7)(a) A licensee may renew a license if the licensee
24 applies for renewal within ninety days before or after the expiration
25 date of the license. A license so renewed shall take effect on the
26 expiration date of the prior license. A licensee renewing after the
27 expiration date of the license must pay a late renewal penalty of ten
28 dollars in addition to the renewal fee specified in subsection (6) of
29 this section. The fee shall be distributed as follows:

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

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

1 (b) Beginning with concealed pistol licenses that expire on or
2 after August 1, 2018, the department of licensing shall mail a
3 renewal notice approximately ninety days before the license
4 expiration date to the licensee at the address listed on the
5 concealed pistol license application, or to the licensee's new
6 address if the licensee has notified the department of licensing of a
7 change of address. Alternatively, if the licensee provides an email
8 address at the time of license application, the department of
9 licensing may send the renewal notice to the licensee's email
10 address. The notice must contain the date the concealed pistol
11 license will expire, the amount of renewal fee, the penalty for late
12 renewal, and instructions on how to renew the license.

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

22 ~~((11))~~ (9) A political subdivision of the state shall not
23 modify the requirements of this section or chapter, nor may a
24 political subdivision ask the applicant to voluntarily submit any
25 information not required by this section.

26 ~~((12))~~ (10) A person who knowingly makes a false statement
27 regarding citizenship or identity on an application for a concealed
28 pistol license is guilty of false swearing under RCW 9A.72.040. In
29 addition to any other penalty provided for by law, the concealed
30 pistol license of a person who knowingly makes a false statement
31 shall be revoked, and the person shall be permanently ineligible for
32 a concealed pistol license.

33 ~~((13))~~ (11) A person may apply for a concealed pistol license:

34 (a) To the municipality or to the county in which the applicant
35 resides if the applicant resides in a municipality;

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

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

39 ~~((14))~~ (12) Any person who, as a member of the armed forces,
40 including the national guard and armed forces reserves, is unable to

1 renew (~~his or her~~) a license under (~~subsections (6) and (9)~~)
2 subsection (7) of this section because of the person's assignment,
3 reassignment, or deployment for out-of-state military service may
4 renew (~~his or her~~) the license within ninety days after the person
5 returns to this state from out-of-state military service, if the
6 person provides the following to the issuing authority no later than
7 ninety days after the person's date of discharge or assignment,
8 reassignment, or deployment back to this state: (a) A copy of the
9 person's original order designating the specific period of
10 assignment, reassignment, or deployment for out-of-state military
11 service, and (b) if appropriate, a copy of the person's discharge or
12 amended or subsequent assignment, reassignment, or deployment order
13 back to this state. A license (~~se~~) renewed under this subsection
14 (~~(14)~~) shall take effect on the expiration date of the prior
15 license. A licensee renewing after the expiration date of the license
16 under this subsection (~~(14)~~) shall pay only the renewal fee
17 specified in subsection (6) of this section and shall not be required
18 to pay a late renewal penalty in addition to the renewal fee.

19 (~~(15)~~) (13)(a) By October 1, 2019, law enforcement agencies
20 that issue concealed pistol licenses shall develop and implement a
21 procedure for the renewal of concealed pistol licenses through a mail
22 application process, and may develop an online renewal application
23 process, for any person who, as a member of the armed forces,
24 including the national guard and armed forces reserves, is unable to
25 renew (~~his or her~~) a license under (~~subsections (6) and (9)~~)
26 subsection (7) of this section because of the person's assignment,
27 reassignment, or deployment for out-of-state military service.

28 (b) A person applying for a license renewal under this subsection
29 shall:

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

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

35 (iii) Pay the renewal licensing fee under subsection (6) of this
36 section, and, if applicable, the late renewal penalty under
37 subsection (~~(9)~~) (7) of this section.

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

1 (14) Not later than one year after the effective date of this
2 section and annually thereafter, issuing authorities shall submit
3 aggregate license application data as set forth in this section to
4 the Washington state patrol firearms background check program for
5 statewide analysis of the uniformity of the licensing system and any
6 potential demographic disparities. Not later than 18 months after the
7 effective date of this section and annually thereafter, the
8 Washington state patrol firearms background check program shall
9 submit to the state legislature a report that includes all of the
10 following information, to the extent available, regarding concealed
11 pistol licenses for the preceding year:

12 (a) The number of license applications submitted, issued, and
13 denied;

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

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

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

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

24 (f) The number of issued licenses revoked; and

25 (g) Information on the barriers, if any, to compiling and
26 analyzing the information listed in (a) through (f) of this
27 subsection.

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

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

32 (a) Discovery by the law enforcement agency that the licensee was
33 ineligible under RCW 9.41.070 for a concealed pistol license when
34 applying for the license or license renewal or has become ineligible
35 after the license was issued;

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

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

3 (d) An order that the licensee forfeit a firearm under RCW
4 9.41.098(1)(d); or

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

8 (2) The law enforcement agency must provide a written notice of
9 the revocation to the license holder citing the specific statute
10 under which the license is revoked, and providing details regarding
11 the grounds for revocation in compliance with rules governing the
12 dissemination of criminal history information. The written notice
13 also must include information on the procedure for the license holder
14 to request that the law enforcement agency reconsider the revocation
15 determination. If the agency after reconsideration upholds the
16 decision to revoke the license, the license holder may seek relief of
17 the denial in superior court pursuant to RCW 9.41.0975.

18 (3)(a) Unless the person may lawfully possess a pistol without a
19 concealed pistol license, an ineligible person to whom a concealed
20 pistol license was issued shall, within 14 days of license
21 revocation, lawfully transfer ownership of any pistol acquired while
22 the person was in possession of the license.

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

34 (~~(3)~~) (4) When a licensee is ordered to forfeit a firearm under
35 RCW 9.41.098(1)(d), the law enforcement agency shall:

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

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

38 or

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

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

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

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

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

16 (2) Mental health information received by: (a) The department of
17 licensing pursuant to RCW 9.41.047 or 9.41.173; (b) an issuing
18 authority pursuant to RCW 9.41.047 or 9.41.070; (c) a chief of police
19 or sheriff pursuant to RCW 9.41.090 or 9.41.173; (d) a court or law
20 enforcement agency pursuant to subsection (1) of this section; or (e)
21 the Washington state patrol firearms background check program
22 pursuant to RCW 9.41.090, shall not be disclosed except as provided
23 in RCW 42.56.240(4).

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

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

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

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

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

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

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

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

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

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

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

17 (a) Directing an issuing agency to issue a concealed pistol
18 license, permit to purchase firearms, or alien firearm license
19 wrongfully refused, or to reinstate a concealed pistol license or
20 permit to purchase firearms wrongfully revoked;

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

24 (c) Directing that erroneous information resulting either in the
25 wrongful refusal to issue a permit to purchase firearms, concealed
26 pistol license, or alien firearm license or in the wrongful denial of
27 ((~~a purchase~~)) an application for the purchase or transfer of a
28 firearm be corrected; or

29 (d) Directing a law enforcement agency to approve a dealer's
30 license wrongfully denied.

31 The application for the writ may be made in the county in which
32 the application for a permit to purchase firearms, concealed pistol
33 license, or alien firearm license or an application to purchase a
34 firearm was made, or in Thurston county, at the discretion of the
35 petitioner. A court shall provide an expedited hearing for an
36 application brought under this subsection (2) for a writ of mandamus.
37 A person granted a writ of mandamus under this subsection (2) shall
38 be awarded reasonable attorneys' fees and costs.

1 **Sec. 13.** RCW 9.41.110 and 2024 c 288 s 1 are each amended to
2 read as follows:

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

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

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

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

28 (5)(a) A licensing authority shall, within 30 days after the
29 filing of an application of any person for a dealer's license,
30 determine whether to grant the license. However, if the applicant
31 does not have a valid permanent Washington driver's license or
32 Washington state identification card, or has not been a resident of
33 the state for the previous consecutive 90 days, the licensing
34 authority shall have up to 60 days to determine whether to issue a
35 license. No person shall qualify for a license under this section
36 without first receiving a federal firearms license and undergoing
37 fingerprinting and a background check. In addition, no person
38 ineligible to possess a firearm under RCW 9.41.040 or ineligible for
39 a concealed pistol license under RCW 9.41.070 shall qualify for a
40 dealer's license.

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

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

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

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

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

35 (8) The license or a copy thereof, certified by the issuing
36 authority, shall be displayed on the premises in the area where
37 firearms are sold, or at the temporary location, where it can easily
38 be read.

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

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

4 (A) Bars or grates;

5 (B) Security screens; or

6 (C) Commercial grade metal doors; and

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

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

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

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

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

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

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

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

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

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

35 (ii) Each camera shall be permanently mounted in a fixed
36 location. Cameras shall be placed in locations that allow the camera
37 to clearly record activity occurring in all areas described in
38 (a)(iii) of this subsection and reasonably produce recordings that
39 allow for the clear identification of any person;

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

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

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

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

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

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

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

19 (vii) Recorded images shall clearly and accurately display the
20 date and time;

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

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

27 (i) A dealer shall allow access to the system or release
28 recordings to any person pursuant to search warrant or other court
29 order.

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

35 (c) The dealer shall post a sign in a conspicuous place at each
36 entrance to the premises that states in block letters not less than
37 one inch in height: "THESE PREMISES ARE UNDER VIDEO AND AUDIO
38 SURVEILLANCE. YOUR IMAGE AND CONVERSATIONS MAY BE RECORDED."

39 (d) This section does not preclude any local authority or local
40 governing body from adopting or enforcing local laws or policies

1 regarding video surveillance that do not contradict or conflict with
2 the requirements of this section.

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

5 (12) A dealer shall:

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

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

15 (13) A dealer shall:

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

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

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

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

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

1 (f) Maintain for six years copies of trace requests received,
2 including notations for trace requests received by phone for six
3 years;

4 (g) Provide annual reporting to the Washington state attorney
5 general concerning trace requests, including at a minimum the
6 following:

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

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

10 (iii) Whether the dealer was inspected by the bureau of alcohol,
11 tobacco, firearms and explosives, and copies of any reports of
12 violations or letters received from the bureau of alcohol, tobacco,
13 firearms and explosives.

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

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

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

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

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

37 (17)(a) A true record shall be made of every ~~((pistol or~~
38 ~~semiautomatic assault rifle))~~ firearm sold ~~((, in a book kept for the~~
39 ~~purpose, the form of which may be prescribed by the director of~~
40 ~~licensing and shall be personally signed by the purchaser and by the~~

1 ~~person effecting the sale, each in the presence of the other, and))~~
2 or transferred, which shall contain the date of sale, the caliber,
3 make, model and manufacturer's number of the weapon, the name,
4 address, occupation, and place of birth of the purchaser or
5 transferee, the identification number of the purchaser's or
6 transferee's permit to purchase firearms, and a statement signed by
7 the purchaser or transferee that ((~~he or she~~)) the purchaser or
8 transferee is not ineligible under state or federal law to possess a
9 firearm. ((~~The dealer shall retain the transfer record for six~~
10 ~~years.~~))

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

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

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

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

34 (21) Except as otherwise provided in this chapter, every city,
35 town, and political subdivision of this state is prohibited from
36 requiring the purchaser to secure a permit to purchase or from
37 requiring the dealer to secure an individual permit for each sale.

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

1 The department of licensing shall keep copies or records of
2 applications for concealed pistol licenses provided for in RCW
3 9.41.070, copies or records of applications for alien firearm
4 licenses, copies or records of applications (~~((to))~~) for the purchase
5 (~~((pistols or semiautomatic assault rifles))~~) or transfer of firearms
6 provided for in RCW 9.41.090, and copies or records of (~~((pistol or~~
7 ~~semiautomatic assault rifle))~~) firearm transfers provided for in RCW
8 9.41.110. The copies and records shall not be disclosed except as
9 provided in RCW 42.56.240(4).

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

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

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

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

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

32 (b) Any person who by virtue of (~~((his or her))~~) the person's
33 office or public employment is vested by law with a duty to preserve
34 public safety, maintain public order, or to make arrests for
35 offenses, while in the performance of such duty;

36 (c) Any person acting for the purpose of protecting himself or
37 herself against the use of presently threatened unlawful force by
38 another, or for the purpose of protecting another against the use of
39 such unlawful force by a third person;

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

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

5 **Sec. 16.** RCW 7.105.350 and 2021 c 215 s 47 are each amended to
6 read as follows:

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

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

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

33 (4) If a law enforcement agency receives a protection order for
34 entry or service, but the order falls outside the agency's
35 jurisdiction, the agency may enter and serve the order or may
36 immediately forward it to the appropriate law enforcement agency for
37 entry and service, and shall provide documentation back to the court
38 verifying which law enforcement agency has entered and will serve the
39 order.

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

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

26 **Sec. 17.** RCW 43.43.580 and 2024 c 289 s 7 are each amended to
27 read as follows:

28 (1) The Washington state patrol shall establish a firearms
29 background check program to serve as a centralized single point of
30 contact for dealers to conduct background checks for firearms sales
31 or transfers required under chapter 9.41 RCW and the federal Brady
32 handgun violence prevention act (18 U.S.C. Sec. 921 et seq.). The
33 Washington state patrol shall establish an automated firearms
34 background check system to conduct background checks on applicants
35 for the purchase or transfer of a firearm. The system must include
36 the following characteristics:

37 (a) Allow a dealer to contact the Washington state patrol through
38 a web portal or other electronic means and by telephone to request a

1 background check of an applicant for the purchase or transfer of a
2 firearm;

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

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

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

9 (e) Include measures to ensure data integrity and the
10 confidentiality and security of all records and data transmitted and
11 received by the system; and

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

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

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

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

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

34 (d) Notify the dealer without delay that the records indicate the
35 individual is prohibited from possessing a firearm and the transfer
36 is denied or that the individual is approved to complete the
37 transfer. If the results of the background check are indeterminate,
38 the Washington state patrol shall notify the dealer of the delay and
39 conduct necessary research and investigation to resolve the inquiry;
40 and

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

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

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

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

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

25 (6) The Washington state patrol shall work with the
26 administrative office of the courts to build a link between the
27 firearm background check system and the administrative office of the
28 courts case management system for the purpose of accessing court
29 records to determine a person's eligibility to possess a firearm.

30 (7) Upon establishment of the firearm background check system
31 under this section, the Washington state patrol shall notify each
32 dealer in the state of the existence of the system, and the dealer
33 must use the system to conduct background checks for firearm sales or
34 transfers beginning on the date that is thirty days after issuance of
35 the notification.

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

39 (9) No later than July 1, 2025, and annually thereafter, the
40 Washington state patrol firearms background check program shall

1 report to the appropriate committees of the legislature the average
2 time between receipt of request for a background check and final
3 decision.

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

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

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

12 NEW SECTION. **Sec. 18.** If any provision of this act or its
13 application to any person or circumstance is held invalid, the
14 remainder of the act or the application of the provision to other
15 persons or circumstances is not affected.

16 NEW SECTION. **Sec. 19.** Except for section 6 of this act, this
17 act takes effect May 1, 2027.

18 NEW SECTION. **Sec. 20.** If specific funding for the purposes of
19 this act, referencing this act by bill or chapter number, is not
20 provided by June 30, 2025, in the omnibus appropriations act, this
21 act is null and void.

Passed by the House April 22, 2025.
Passed by the Senate April 14, 2025.
Approved by the Governor May 20, 2025.
Filed in Office of Secretary of State May 21, 2025.

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