

1163-S2.E AMS LAW S2534.1

**E2SHB 1163** - S COMM AMD

By Committee on Law & Justice

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

3 "Sec. 1. RCW 9.41.090 and 2023 c 161 s 1 are each amended to  
4 read as follows:

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

8 (a) The purchaser (~~provides proof of completion of a recognized~~  
9 ~~firearm safety training program within the last five years that~~  
10 ~~complies with the requirements in RCW 9.41.1132, or proof that the~~  
11 ~~purchaser is exempt from the training requirement~~)) or transferee  
12 produces a valid permit to purchase firearms under section 2 of this  
13 act;

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

17 (c) The requirements and time periods in RCW 9.41.092 have been  
18 satisfied.

19 (2) In determining whether the purchaser or transferee is  
20 eligible to possess a firearm, the Washington state patrol firearms  
21 background check program shall check with the national instant  
22 criminal background check system, provided for by the Brady handgun  
23 violence prevention act (18 U.S.C. Sec. 921 et seq.), the Washington  
24 state patrol electronic database, the health care authority  
25 electronic database, the administrative office of the courts, LInX-  
26 NW, and with other agencies or resources as appropriate, to determine  
27 whether the applicant is ineligible under RCW 9.41.040 to possess a  
28 firearm.

29 (3) (a) In any case where there is an outstanding warrant for the  
30 applicant's arrest from any court of competent jurisdiction for a  
31 felony or misdemeanor, the Washington state patrol firearms  
32 background check program shall advise the dealer that the delivery of

1 the firearm is delayed. The Washington state patrol firearms  
2 background check program shall confirm the existence of outstanding  
3 warrants after notification of the application to purchase a firearm  
4 is received. Upon confirming that the warrant is valid, the  
5 Washington state patrol firearms background check program will advise  
6 the dealer that transfer of the firearm is denied.

7 (b) In any case where the Washington state patrol firearms  
8 background check program has reasonable grounds based on the  
9 following circumstances: (i) Open criminal charges, (ii) pending  
10 criminal proceedings, (iii) pending commitment proceedings, or (iv)  
11 an arrest for an offense making a person ineligible under RCW  
12 9.41.040 to possess a firearm, if the records of disposition have not  
13 yet been reported or entered sufficiently to determine eligibility to  
14 purchase or receive a firearm, the Washington state patrol firearms  
15 background check program shall notify the dealer that delivery of the  
16 firearm is delayed in order to confirm existing records in this state  
17 or elsewhere or to confirm the identity of the applicant.

18 (4) (a) At the time of applying for the purchase of a firearm, the  
19 ((purchaser)) applicant shall ((sign and deliver to the dealer an  
20 application containing)) provide the firearm dealer the application  
21 information necessary to submit the background check to the  
22 Washington state patrol background check system, including:

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

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

26 (iii) The applicant's driver's license number or state  
27 identification card number;

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

30 (v) A description of the firearm including the make, model,  
31 caliber and if available the manufacturer's number ((if available at  
32 the time of applying for the purchase of the firearm. If the  
33 manufacturer's number is not available at the time of applying for  
34 the purchase of a firearm, the application may be processed, but  
35 delivery of the firearm to the purchaser may not occur unless the  
36 manufacturer's number is recorded on the application by the dealer  
37 and transmitted to the Washington state patrol firearms background  
38 check program)); and

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

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

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

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

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

18       (c) The dealer shall (~~(, by the end of the business day,)~~)  
19 transmit the information from the application through secure  
20 automated firearms e-check (SAFE) to the Washington state patrol  
21 firearms background check program. (~~(The original application shall~~  
22 ~~be retained by the dealer for six years.)~~)

23       (d) The dealer shall deliver the firearm to the purchaser or  
24 transferee once the requirements and period of time specified in this  
25 chapter are satisfied. The application shall not be denied unless the  
26 purchaser or transferee is not eligible to purchase or possess the  
27 firearm under state or federal law or has not complied with the  
28 requirements of this section.

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

32       (~~(4)~~) (5) A person who knowingly makes a false statement  
33 regarding identity or eligibility requirements on the application to  
34 purchase a firearm is guilty of false swearing under RCW 9A.72.040.

35       (~~(5)~~) (6) This section does not apply to sales to licensed  
36 dealers for resale or to the sale of antique firearms.

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

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

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

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

7 (b) A complete set of fingerprints taken by the local law  
8 enforcement agency in the jurisdiction in which the applicant  
9 resides;

10 (c) A certificate of completion of a certified firearms safety  
11 training program within the last five years, or proof that the  
12 applicant is exempt from the training requirement, as provided in RCW  
13 9.41.1132; and

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

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

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

19 (b) Residential address and current mailing address if different  
20 from the residential address;

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

22 (d) Physical description;

23 (e) Race and gender;

24 (f) Telephone number and email address, at the option of the  
25 applicant; and

26 (g) Electronic signature.

27 (4) The application must contain questions about the applicant's  
28 eligibility to possess firearms under state and federal law and  
29 whether the applicant is a United States citizen. If the applicant is  
30 not a United States citizen, the applicant must provide the  
31 applicant's country of citizenship, United States-issued alien number  
32 or admission number, and the basis on which the applicant claims to  
33 be exempt from federal prohibitions on firearm possession by aliens.  
34 The applicant shall not be required to produce a birth certificate or  
35 other evidence of citizenship. A person who is not a citizen of the  
36 United States shall, if applicable, meet the additional requirements  
37 of RCW 9.41.173 and produce proof of compliance with RCW 9.41.173  
38 upon application.

39 (5) A signed application for a permit to purchase firearms shall  
40 constitute a waiver of confidentiality and written request that

1 courts, the health care authority, mental health institutions, and  
2 other health care facilities release information relevant to the  
3 applicant's eligibility for a permit to purchase firearms to an  
4 inquiring court or the Washington state patrol firearms background  
5 check program.

6 (6) The Washington state patrol firearms background check program  
7 shall issue a permit to purchase firearms to an eligible applicant,  
8 or deny the completed application, within 30 days of the date the  
9 completed application was filed, or within 60 days of when the  
10 completed application was filed if the applicant does not have a  
11 valid permanent Washington driver's license or Washington state  
12 identification card or has not been a resident of the state for the  
13 previous consecutive 90 days, unless additional time is necessary in  
14 order to obtain all required information and records needed for  
15 determining the applicant's eligibility for the permit.

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

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

20 (ii) Is subject to a court order or injunction regarding firearms  
21 pursuant to chapter 7.105 RCW, or RCW 9A.44.210, 9A.46.080,  
22 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.26B.020, or  
23 26.26A.470, or any of the former RCW 10.14.080, 26.10.115, 26.50.060,  
24 and 26.50.070;

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

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

29 (v) Has failed to produce a certificate of completion of a  
30 certified firearms safety training program within the last five  
31 years, or proof that the applicant is exempt from the training  
32 requirement.

33 (b) If an application for a permit to purchase firearms is  
34 denied, the Washington state patrol firearms background check program  
35 shall send the applicant a written notice of the denial stating the  
36 specific grounds on which the permit to purchase firearms is denied.  
37 If the applicant provides an email address at the time of  
38 application, the Washington state patrol firearms background check  
39 program may send the denial notice to the applicant's email address.

1 (8) (a) In determining whether the applicant is eligible for a  
2 permit to purchase firearms, the Washington state patrol firearms  
3 background check program shall check with the national instant  
4 criminal background check system, the Washington state patrol  
5 electronic database, the health care authority electronic database,  
6 the administrative office of the courts, LInX-NW, and with other  
7 agencies or resources as appropriate.

8 (b) A background check for an original permit must be conducted  
9 through the Washington state patrol criminal records division and  
10 shall include a national check from the federal bureau of  
11 investigation through the submission of fingerprints. The results  
12 will be returned to the Washington state patrol firearms background  
13 check program. The applicant may request and receive a copy of the  
14 results of the background check from the Washington state patrol. If  
15 the applicant seeks to amend or correct their record, the applicant  
16 must contact the Washington state patrol for a Washington state  
17 record or the federal bureau of investigation for records from other  
18 jurisdictions.

19 (9) The Washington state patrol firearms background check program  
20 shall develop procedures to verify on an annual basis that persons  
21 who have been issued a permit to purchase firearms remain eligible to  
22 possess firearms under state and federal law and continue to meet  
23 other firearm eligibility requirements. If a person is determined to  
24 be ineligible, the Washington state patrol firearms background check  
25 program shall revoke the permit under subsection (14) of this  
26 section, and provide notification of the revocation and relevant  
27 information to the chief of police or the sheriff of the jurisdiction  
28 in which the permit holder resides so that local law enforcement may  
29 take steps to ensure the permit holder is not illegally in possession  
30 of firearms.

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

36 (11) (a) A permit to purchase firearms is valid for a period of  
37 five years. A person may renew a permit to purchase firearms by  
38 applying for renewal in accordance with the requirements of this  
39 section within 90 days before or after the expiration date of the  
40 permit. A renewed permit to purchase firearms takes effect on the

1 expiration date of the prior permit to purchase firearms and is valid  
2 for a period of five years.

3 (b) (i) The Washington state patrol firearms background check  
4 program may charge permit application fees which will cover as nearly  
5 as practicable the direct and indirect costs to the Washington state  
6 patrol incurred in creating and administering the permit to purchase  
7 firearms program. The Washington state patrol firearms background  
8 check program shall establish a late penalty for late renewal of a  
9 permit to purchase firearms. The Washington state patrol firearms  
10 background check program shall transmit the fees collected to the  
11 state treasurer for deposit in the state firearms background check  
12 system account created in RCW 43.43.590.

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

16 (12) The Washington state patrol firearms background check  
17 program shall mail a renewal notice to the holder of a permit to  
18 purchase firearms approximately 90 days before the expiration date of  
19 the permit at the address listed on the application, or to the permit  
20 holder's new address if the permit holder has notified the Washington  
21 state patrol firearms background check program of a change of  
22 address. If the permit holder provides an email address at the time  
23 of application, the Washington state patrol firearms background check  
24 program may send the renewal notice to the permit holder's email  
25 address. The notice must contain the date the permit to purchase  
26 firearms will expire, the amount of the renewal fee, the penalty for  
27 late renewal, and instructions on how to renew the permit to purchase  
28 firearms.

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

31 (14) The Washington state patrol firearms background check  
32 program shall revoke a permit to purchase firearms on the occurrence  
33 of any act or condition that would prevent the issuance of a permit  
34 to purchase firearms. The Washington state patrol firearms background  
35 check program shall send the permit holder a written notice of the  
36 revocation stating the specific grounds on which the permit is  
37 revoked.

38 (15) If a permit application is denied or a permit is revoked, a  
39 person aggrieved by the denial or revocation is entitled to seek

1 relief of the denial or revocation in superior court pursuant to RCW  
2 9.41.0975.

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

8 (a) The number of permit applications submitted, issued, and  
9 denied;

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

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

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

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

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

21 (g) The number of cases that the Washington state patrol has  
22 provided notice of permit revocations and relevant information to  
23 local law enforcement agencies, and the number of cases that local  
24 law enforcement agencies have taken action to remove firearms  
25 purchased with a permit that was subsequently revoked and the number  
26 of firearms recovered in such cases.

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

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

34 (a) Basic firearms safety rules;

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

37 (c) Firearms and suicide prevention;

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

39 (e) Safe handling of firearms;



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

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

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

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

10 (2) The training must be sponsored by a federal, state, county,  
11 or municipal law enforcement agency, a college or university, a  
12 nationally recognized organization that customarily offers firearms  
13 training, or a firearms training school with instructors certified by  
14 a nationally recognized organization that customarily offers firearms  
15 training. The (~~proof~~) certificate of training shall be in the form  
16 (~~of a certification that states under the penalty of perjury that~~  
17 ~~the training included the minimum requirements~~) and manner of  
18 documentation developed by the Washington state patrol under section  
19 4 of this act.

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

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

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

27 (i) General authority Washington peace officer as defined in RCW  
28 10.93.020;

29 (ii) Limited authority Washington peace officer as defined in RCW  
30 10.93.020 who as a normal part of their duties has arrest powers and  
31 carries a firearm;

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

35 (iv) Federal peace officer as defined in RCW 10.93.020 who as a  
36 normal part of their duties has arrest powers and carries a firearm;  
37 (~~or~~)

38 (b) (~~A~~) Upon showing proper identification, a person who is an  
39 active duty member of the armed forces of the United States, an  
40 active member of the national guard, or an active member of the armed

1 forces reserves (~~who, as part of the applicant's service, has~~  
2 ~~completed, within the last five years, a course of training in~~  
3 ~~firearms proficiency or familiarization that included training on the~~  
4 ~~safe handling and shooting proficiency with firearms)). For the  
5 purposes of this section, proper identification includes the armed  
6 forces identification card or other written documentation certifying  
7 that the individual is an active military member;~~

8 (c) Upon showing proper identification, a person who is an armed  
9 private investigator licensed pursuant to chapter 18.165 RCW. For the  
10 purposes of this section, proper identification includes the armed  
11 private investigator license card issued pursuant to RCW 18.165.080  
12 or other written documentation certifying that the individual is a  
13 licensed armed private investigator; or

14 (d) Upon showing proper identification, a person who is an armed  
15 security guard licensed pursuant to chapter 18.170 RCW. For the  
16 purposes of this section, proper identification includes the armed  
17 security guard license card issued pursuant to RCW 18.170.070 or  
18 other written documentation certifying that the individual is a  
19 licensed armed security guard.

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

22 The Washington state patrol shall establish a program to provide  
23 certifications for firearms safety training programs that meet the  
24 requirements of RCW 9.41.070 and 9.41.1132, and to require certified  
25 firearms safety programs to apply for recertification every five  
26 years. The Washington state patrol shall develop the form and manner  
27 of documentation for applicants for permits to purchase firearms to  
28 provide proof of completion of a certified firearms safety training  
29 program, for concealed pistol license applicants to provide proof of  
30 completion of a certified concealed carry firearms safety training  
31 program, and for use as proof of qualifying for an exemption from the  
32 firearms safety training requirement or concealed carry firearms  
33 safety training requirement.

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

36 The state firearms background check system account is created in  
37 the custody of the state treasurer. All receipts under RCW 43.43.580  
38 and section 2 of this act must be deposited into the account.

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

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

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

17 A local law enforcement agency taking fingerprints pursuant to  
18 section 2 of this act may charge a reasonable fee to recover as  
19 nearly as practicable the direct and indirect costs to the local law  
20 enforcement agency of taking and transmitting the fingerprints.

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

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

1 possess a firearm unless the person's right to do so is restored by  
2 the superior court that issued the order.

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

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

33 (2)(a) Upon receipt of the information provided in subsection (1)  
34 of this section, the Washington state patrol firearms background  
35 check program shall determine if the convicted or committed person,  
36 or the person whose charges are dismissed based on incompetency to  
37 stand trial, has a permit to purchase firearms. If the person does  
38 have a permit to purchase firearms, the Washington state patrol  
39 firearms background check program shall immediately revoke the  
40 permit.

1       **(b)** Upon receipt of the information provided for by subsection  
2 (1) of this section, the department of licensing shall determine if  
3 the person has a concealed pistol license. If the person has a  
4 concealed pistol license, the department of licensing shall  
5 immediately notify ~~((the license-issuing authority which, upon))~~ the  
6 issuing law enforcement agency that the court has directed revocation  
7 of the license. Upon receipt of such notification, the issuing law  
8 enforcement agency shall immediately revoke the license.

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

23       (b) The petition must be brought in the superior court that  
24 ordered the involuntary commitment or dismissed the charges based on  
25 incompetency to stand trial or the superior court of the county in  
26 which the petitioner resides.

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

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

33       (ii) The person petitioning for restoration of firearm rights has  
34 successfully managed the condition related to the commitment or  
35 detention or incompetency;

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

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

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

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

11 (e) If the person seeking restoration of firearm rights seeks  
12 restoration after having been detained under RCW 71.05.150 or  
13 71.05.153, the state shall bear the burden of proof to show, by a  
14 preponderance of the evidence, that the person does not meet the  
15 restoration criteria in (c) of this subsection.

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

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

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

37 (1) The chief of police of a municipality or the sheriff of a  
38 county shall within thirty days after the filing of an application of  
39 any person, issue a license to such person to carry a concealed

1 pistol (~~concealed on his or her person~~) within this state for five  
2 years from date of issue, for the purposes of protection or while  
3 engaged in business, sport, or while traveling. However, if the  
4 applicant does not have a valid permanent Washington driver's license  
5 or Washington state identification card or has not been a resident of  
6 the state for the previous consecutive ninety days, the issuing  
7 authority shall have up to sixty days after the filing of the  
8 application to issue a license. The issuing authority shall not  
9 refuse to accept completed applications for concealed pistol licenses  
10 during regular business hours.

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

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

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

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

20 (d) (~~He or she is~~) Is subject to a court order or injunction  
21 regarding firearms pursuant to chapter 7.105 RCW, or RCW 9A.46.080,  
22 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.26B.020, or  
23 26.26A.470, or any of the former RCW 10.14.080, 26.10.115, 26.50.060,  
24 and 26.50.070;

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

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

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

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

39 No person convicted of a felony may have (~~his or her~~) the  
40 person's right to possess firearms restored or (~~his or her~~)

1 privilege to carry a concealed pistol restored, unless the person has  
2 been granted relief from disabilities by the attorney general under  
3 18 U.S.C. Sec. 925(c), or RCW 9.41.040 (3) or (4) applies.

4 (2)(a) The issuing authority shall conduct a check through the  
5 national instant criminal background check system, the Washington  
6 state patrol electronic database, the administrative office of the  
7 courts, LInX-NW, the health care authority electronic database, and  
8 with other agencies or resources as appropriate, to determine whether  
9 the applicant is ineligible under RCW 9.41.040 or 9.41.045 to possess  
10 a firearm, or is prohibited from possessing a firearm under federal  
11 or state law, and therefore ineligible for a concealed pistol  
12 license.

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

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

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

32 (e)(i) If an application for a concealed pistol license is  
33 denied, the issuing authority shall send the applicant a written  
34 notice of the denial citing the specific statute under which the  
35 application is denied, and providing specific details regarding the  
36 grounds for denial in compliance with rules governing the  
37 dissemination of criminal history information. If the applicant  
38 provides an email address at the time of application, the issuing  
39 authority may send the denial notice to the applicant's email  
40 address. The written notice also must include information on the



1 procedure for an applicant to request that the issuing authority  
2 reconsider the denial of the application.

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

6 (3) Any person whose firearms rights have been restricted and who  
7 has been granted relief from disabilities by the attorney general  
8 under 18 U.S.C. Sec. 925(c) or who is exempt under 18 U.S.C. Sec.  
9 921(a)(20)(A) shall have (~~his or her~~) the person's right to  
10 acquire, receive, transfer, ship, transport, carry, and possess  
11 firearms in accordance with Washington state law restored except as  
12 otherwise prohibited by this chapter.

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

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

31 The license and application shall contain a warning substantially  
32 as follows:

33 CAUTION: Although state and local laws do not differ, federal  
34 law and state law on the possession of firearms differ. If  
35 you are prohibited by federal law from possessing a firearm,  
36 you may be prosecuted in federal court. A state license is  
37 not a defense to a federal prosecution.

38 The license shall contain a description of the major differences  
39 between state and federal law and an explanation of the fact that

1 local laws and ordinances on firearms are preempted by state law and  
2 must be consistent with state law.

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

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

19 The original thereof shall be delivered to the licensee, the  
20 duplicate shall within seven days be sent to the director of  
21 licensing and the triplicate shall be preserved for six years, by the  
22 authority issuing the license.

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

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

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

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

1 or unit of government may impose any additional charges on the  
2 applicant for the issuance of the license.

3 The fee shall be distributed as follows:

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

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

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

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

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

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

18 The renewal fee shall be distributed as follows:

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

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

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

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

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

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

32 ~~((9))~~ (7)(a) A licensee may renew a license if the licensee  
33 applies for renewal within ninety days before or after the expiration  
34 date of the license. A license so renewed shall take effect on the  
35 expiration date of the prior license. A licensee renewing after the  
36 expiration date of the license must pay a late renewal penalty of ten  
37 dollars in addition to the renewal fee specified in subsection (6) of  
38 this section. The fee shall be distributed as follows:

39 (i) Three dollars shall be deposited in the limited fish and  
40 wildlife account and used exclusively first for the printing and

1 distribution of a pamphlet on the legal limits of the use of  
2 firearms, firearms safety, and the preemptive nature of state law,  
3 and subsequently the support of volunteer instructors in the basic  
4 firearms safety training program conducted by the department of fish  
5 and wildlife. The pamphlet shall be given to each applicant for a  
6 license; and

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

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

21 ~~((+10))~~ (8) Notwithstanding the requirements of subsections (1)  
22 through ~~((+9))~~ (7) of this section, the chief of police of the  
23 municipality or the sheriff of the county of the applicant's  
24 residence may issue a temporary emergency license for good cause  
25 pending review under subsection (1) of this section. However, a  
26 temporary emergency license issued under this subsection shall not  
27 exempt the holder of the license from any records check requirement.  
28 Temporary emergency licenses shall be easily distinguishable from  
29 regular licenses.

30 ~~((+11))~~ (9) A political subdivision of the state shall not  
31 modify the requirements of this section or chapter, nor may a  
32 political subdivision ask the applicant to voluntarily submit any  
33 information not required by this section.

34 ~~((+12))~~ (10) A person who knowingly makes a false statement  
35 regarding citizenship or identity on an application for a concealed  
36 pistol license is guilty of false swearing under RCW 9A.72.040. In  
37 addition to any other penalty provided for by law, the concealed  
38 pistol license of a person who knowingly makes a false statement  
39 shall be revoked, and the person shall be permanently ineligible for  
40 a concealed pistol license.

1        ~~((13))~~ (11) A person may apply for a concealed pistol license:

2        (a) To the municipality or to the county in which the applicant  
3 resides if the applicant resides in a municipality;

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

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

7        ~~((14))~~ (12) Any person who, as a member of the armed forces,  
8 including the national guard and armed forces reserves, is unable to  
9 renew ~~((his or her))~~ a license under ~~((subsections (6) and (9)))~~  
10 subsection (7) of this section because of the person's assignment,

11 reassignment, or deployment for out-of-state military service may  
12 renew ~~((his or her))~~ the license within ninety days after the person  
13 returns to this state from out-of-state military service, if the

14 person provides the following to the issuing authority no later than  
15 ninety days after the person's date of discharge or assignment,  
16 reassignment, or deployment back to this state: (a) A copy of the

17 person's original order designating the specific period of  
18 assignment, reassignment, or deployment for out-of-state military  
19 service, and (b) if appropriate, a copy of the person's discharge or

20 amended or subsequent assignment, reassignment, or deployment order  
21 back to this state. A license ~~((se))~~ renewed under this subsection  
22 ~~((14))~~ shall take effect on the expiration date of the prior

23 license. A licensee renewing after the expiration date of the license  
24 under this subsection ~~((14))~~ shall pay only the renewal fee  
25 specified in subsection (6) of this section and shall not be required

26 to pay a late renewal penalty in addition to the renewal fee.

27        ~~((15))~~ (13) (a) By October 1, 2019, law enforcement agencies  
28 that issue concealed pistol licenses shall develop and implement a  
29 procedure for the renewal of concealed pistol licenses through a mail  
30 application process, and may develop an online renewal application

31 process, for any person who, as a member of the armed forces,  
32 including the national guard and armed forces reserves, is unable to  
33 renew ~~((his or her))~~ a license under ~~((subsections (6) and (9)))~~  
34 subsection (7) of this section because of the person's assignment,

35 reassignment, or deployment for out-of-state military service.

36        (b) A person applying for a license renewal under this subsection  
37 shall:

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

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

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

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

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

20 (a) The number of license applications submitted, issued, and  
21 denied;

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

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

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

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

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

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

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

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

1 (a) Discovery by the law enforcement agency that the licensee was  
2 ineligible under RCW 9.41.070 for a concealed pistol license when  
3 applying for the license or license renewal or has become ineligible  
4 after the license was issued;

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

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

11 (d) An order that the licensee forfeit a firearm under RCW  
12 9.41.098(1)(d); or

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

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

26 (3)(a) Unless the person may lawfully possess a pistol without a  
27 concealed pistol license, an ineligible person to whom a concealed  
28 pistol license was issued shall, within 14 days of license  
29 revocation, lawfully transfer ownership of any pistol acquired while  
30 the person was in possession of the license.

31 (b) Upon discovering a person issued a concealed pistol license  
32 was ineligible for the license, the law enforcement agency shall  
33 contact the department of licensing to determine whether the person  
34 purchased a pistol while in possession of the license. If the person  
35 did purchase a pistol while in possession of the concealed pistol  
36 license, if the person may not lawfully possess a pistol without a  
37 concealed pistol license, the law enforcement agency shall require  
38 the person to present satisfactory evidence of having lawfully  
39 transferred ownership of the pistol. The law enforcement agency shall

1 require the person to produce the evidence within 15 days of the  
2 revocation of the license.

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

- 5 (a) On the first forfeiture, revoke the license for one year;  
6 (b) On the second forfeiture, revoke the license for two years;  
7 or  
8 (c) On the third or subsequent forfeiture, revoke the license for  
9 five years.

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

13 ~~((4))~~ (5) The law enforcement agency shall notify, in writing,  
14 the department of licensing of the revocation of a license. The  
15 department of licensing shall record the revocation.

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

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

25 (2) Mental health information received by: (a) The department of  
26 licensing pursuant to RCW 9.41.047 or 9.41.173; (b) an issuing  
27 authority pursuant to RCW 9.41.047 or 9.41.070; (c) a chief of police  
28 or sheriff pursuant to RCW 9.41.090 or 9.41.173; (d) a court or law  
29 enforcement agency pursuant to subsection (1) of this section; or (e)  
30 the Washington state patrol firearms background check program  
31 pursuant to RCW 9.41.090, shall not be disclosed except as provided  
32 in RCW 42.56.240(4).

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

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



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

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

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

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

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

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

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

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

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

24 (a) Directing an issuing agency to issue a concealed pistol  
25 license, permit to purchase firearms, or alien firearm license  
26 wrongfully refused, or to reinstate a concealed pistol license or  
27 permit to purchase firearms wrongfully revoked;

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

31 (c) Directing that erroneous information resulting either in the  
32 wrongful refusal to issue a permit to purchase firearms, concealed  
33 pistol license, or alien firearm license or in the wrongful denial of  
34 ((a—purchase)) an application for the purchase or transfer of a  
35 firearm be corrected; or

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

38 The application for the writ may be made in the county in which  
39 the application for a permit to purchase firearms, concealed pistol  
40 license, or alien firearm license or an application to purchase a

1 firearm was made, or in Thurston county, at the discretion of the  
2 petitioner. A court shall provide an expedited hearing for an  
3 application brought under this subsection (2) for a writ of mandamus.  
4 A person granted a writ of mandamus under this subsection (2) shall  
5 be awarded reasonable attorneys' fees and costs.

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

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

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

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

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

33 (5)(a) A licensing authority shall, within 30 days after the  
34 filing of an application of any person for a dealer's license,  
35 determine whether to grant the license. However, if the applicant  
36 does not have a valid permanent Washington driver's license or  
37 Washington state identification card, or has not been a resident of  
38 the state for the previous consecutive 90 days, the licensing  
39 authority shall have up to 60 days to determine whether to issue a

1 license. No person shall qualify for a license under this section  
2 without first receiving a federal firearms license and undergoing  
3 fingerprinting and a background check. In addition, no person  
4 ineligible to possess a firearm under RCW 9.41.040 or ineligible for  
5 a concealed pistol license under RCW 9.41.070 shall qualify for a  
6 dealer's license.

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

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

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

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

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

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

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

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

10 (A) Bars or grates;

11 (B) Security screens; or

12 (C) Commercial grade metal doors; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (vii) Recorded images shall clearly and accurately display the  
25 date and time;

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

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

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

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

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

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

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

11 (12) A dealer shall:

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

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

21 (13) A dealer shall:

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

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

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

39 (d) Maintain and make available at any time to government law  
40 enforcement agencies and to the manufacturer of the weapon or its

1 designee, firearm disposition information, including the serial  
2 numbers of firearms sold, dates of sale, and identity of purchasers;

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

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

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

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

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

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

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

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

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

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

36 (c) The license fee for pistols shall be one hundred twenty-five  
37 dollars. The license fee for firearms other than pistols shall be one  
38 hundred twenty-five dollars. The license fee for ammunition shall be  
39 one hundred twenty-five dollars. Any dealer who obtains any license  
40 under subsection (1), (2), or (3) of this section may also obtain the

1 remaining licenses without payment of any fee. The fees received  
2 under this section shall be deposited in the state general fund.

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

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

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

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

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



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

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

7 The department of licensing shall keep copies or records of  
8 applications for concealed pistol licenses provided for in RCW  
9 9.41.070, copies or records of applications for alien firearm  
10 licenses, copies or records of applications ~~((to))~~ for the purchase  
11 ~~((pistols or semiautomatic assault rifles))~~ or transfer of firearms  
12 provided for in RCW 9.41.090, and copies or records of ~~((pistol or~~  
13 ~~semiautomatic assault rifle))~~ firearm transfers provided for in RCW  
14 9.41.110. The copies and records shall not be disclosed except as  
15 provided in RCW 42.56.240(4).

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

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

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

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

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

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

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

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

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

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

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

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

37 (3) The information entered into the computer-based criminal  
38 intelligence information system must include notice to law

1 enforcement whether the order was personally served, served by  
2 electronic means, served by publication, or served by mail.

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

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

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

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

37 (1) The Washington state patrol shall establish a firearms  
38 background check program to serve as a centralized single point of  
39 contact for dealers to conduct background checks for firearms sales

1 or transfers required under chapter 9.41 RCW and the federal Brady  
2 handgun violence prevention act (18 U.S.C. Sec. 921 et seq.). The  
3 Washington state patrol shall establish an automated firearms  
4 background check system to conduct background checks on applicants  
5 for the purchase or transfer of a firearm. The system must include  
6 the following characteristics:

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

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

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

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

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

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

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

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

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

38 (c) Perform an equivalency analysis on criminal charges in  
39 foreign jurisdictions to determine if the applicant has been

1 convicted as defined in RCW 9.41.040(3) and if the offense is  
2 equivalent to a Washington felony as defined in RCW 9.41.010;

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

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

11 (3) The Washington state patrol may hold the delivery of a  
12 firearm to an applicant under the circumstances provided in RCW  
13 9.41.090 (~~((4) and (5))~~) (3).

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

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

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

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

39 (7) Upon establishment of the firearm background check system  
40 under this section, the Washington state patrol shall notify each

1 dealer in the state of the existence of the system, and the dealer  
2 must use the system to conduct background checks for firearm sales or  
3 transfers beginning on the date that is thirty days after issuance of  
4 the notification.

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

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

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

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

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

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

25 NEW SECTION. **Sec. 19.** Except for section 6 of this act, this  
26 act takes effect November 1, 2026.

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

**E2SHB 1163** - S COMM AMD  
By Committee on Law & Justice

1        On page 1, line 8 of the title, after "licenses;" strike the  
2 remainder of the title and insert "amending RCW 9.41.090, 9.41.1132,  
3 43.43.590, 9.41.047, 9.41.070, 9.41.075, 9.41.097, 9.41.0975,  
4 9.41.110, 9.41.129, 9.41.270, 7.105.350, and 43.43.580; adding new  
5 sections to chapter 9.41 RCW; adding a new section to chapter 43.43  
6 RCW; creating new sections; and providing an effective date."

EFFECT: • Corrects reference to writs of mandamus as it relates to permit to purchase and CPL application denials and revocations.

• Amends the writ of mandamus statute to permit applications for writs requesting the reinstatement of CPLs and permits to purchase that were wrongfully revoked.

• Exempts licensed armed private investigators from the firearms safety training requirements.

• Exempts licensed armed security guards from the firearm safety training requirements.

--- END ---