

# HOUSE BILL ANALYSIS

## HB 1050

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**Title:** An act relating to firearms licensing.

**Brief Description:** Revising firearms licensing.

**Sponsors:** Representatives Pennington, McMorris, Mielke, Delvin, Mulliken, Thompson, Hatfield, Boldt, Buck, Schoesler, Sherstad, Smith and Backlund.

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### HOUSE COMMITTEE ON LAW & JUSTICE

**Staff:** Bill Perry (786-7123).

**Background:**

#### CONCEALED PISTOL LICENSES

With certain exceptions, a license is required to carry a pistol concealed on the person. No license is required in a person's home or place of business. Additional exceptions are provided for law enforcement and military personnel and for persons traveling to or from or engaging in activities such as target shooting, hunting, fishing, camping, hiking, or horseback riding.

Concealed pistol licenses (CPLs) are issued by local law enforcement agencies and are good for five years. Only persons 21 years old or older and not otherwise disqualified from possessing a firearm may apply for a license. Issuing authorities are to check with various state and federal sources to determine an applicant's eligibility. The state Department of Licensing maintains records of all CPLs issued in the state.

RECENT HISTORY OF CPL FEES. Prior to 1994, the fee for an original CPL was \$23. The distribution of that fee was as follows: \$4 to the state general fund, \$4 to the agency taking the fingerprints, \$12 to the issuing authority, and \$3 to the firearms range account.

The issuing authority's \$12 share had remained the same since 1983, when the share was raised from \$1.50. At the same time, the total cost of an original license was raised from \$5 to \$20. In 1988, the total cost was raised \$3 to \$23, with the additional \$3 earmarked for the firearms range account.

The pre-1994 fee for a renewal license was \$15, with \$4 distributed to the state general fund, \$8 to the issuing authority, and \$3 to the firearms range account. As with original licenses, the fee for a renewal license was raised \$3 in 1988, with the increase allocated to the firearms range account.

Before 1994, a late fee of \$10 was assessed for a license not renewed within 90 days of expiration, with \$3 allocated to the state wildlife fund and \$7 allocated to the issuing authority.

In 1994, all of the concealed pistol licensing fees were increased. An original license fee was increased from \$23 to \$50, to be distributed as follows: \$15 to the state general fund, \$10 to the agency taking the fingerprints, \$15 to the issuing authority, and \$10 to the firearms range account. A renewal license fee was increased from \$15 to \$50, with \$20 to the state general fund, \$20 to the issuing authority, and \$10 to the firearms range account. The late penalty was increased to \$20, with \$10 to the state wildlife fund and \$10 to the issuing authority.

As of October 1, 1994, the federal government has begun to charge local issuing authorities a fee of \$24 for each fingerprint check done in connection with a concealed pistol license application.

1995 CPL FEE CHANGES. In 1995, the Legislature once again adjusted the CPL fee structure. CPL terms and fees were changed to their current status as follows:

- O DURATION OF LICENSE WAS INCREASED FROM FOUR YEARS TO FIVE YEARS
- O COST OF ORIGINAL LICENSE WAS DECREASED FROM \$50 TO **\$36**
- O FBI CHARGE FOR FINGERPRINT CHECKS NOW PASSED ON TO THE APPLICANT
- O COST OF RENEWAL LICENSE WAS DECREASED FROM \$50 TO **\$32**
- O DISTRIBUTION OF FEES COLLECTED WAS CHANGED TO THE FOLLOWING:
  - o The \$36 from the original fee goes:
    - \$15 to the state general fund
    - \$4 to the agency taking the fingerprint
    - \$14 to the issuing authority
    - \$3 to the state firearms range account
  - o The \$32 from the renewal fee goes:

- \$15 to the state general fund
  - \$14 to the issuing authority
  - \$3 to the state firearms range account
- O FEE FOR LATE RENEWAL WAS DECREASED FROM \$20 TO **\$10** WITH \$7 GOING TO THE ISSUING AUTHORITY AND \$3 TO THE STATE WILDLIFE FUND
- O A **\$10** REPLACEMENT FEE WAS PROVIDED FOR LOST OR DAMAGED LICENSES - THE FEE GOES TO THE ISSUING AUTHORITY

This fee structure was not changed in 1996.

### **FIREARMS DEALERS' LICENSES**

Generally, separate licenses are required for a dealer to sell pistols, other firearms, and ammunition. However, a single \$125 fee is sufficient to obtain any or all of these licenses. In addition, a person other than a firearms dealer may sell ammunition without a dealer's ammunition license. Firearms dealers are also required to be licensed under federal law. There is no federal ammunition dealer license requirement.

State firearms dealers' licenses are issued by cities, towns, and counties. In order to obtain a dealer's license, a person must be eligible for a CPL and must be eligible to possess a firearm. In addition, an applicant for a dealer's license must have a federal dealer's license and must undergo a background check, including fingerprinting. Each of the three state firearms dealers' licenses is good for one year.

#### **Summary of Bill:**

### **CONCEALED PISTOL LICENSE**

The fee for an original five-year CPL is reduced from \$36 to \$21. The \$15 distribution from original license fees that goes to the state general fund is eliminated. The fee for a renewal of a CPL is reduced from \$32 to \$17. The \$15 distribution from renewal license fees that goes to the state general fund is eliminated.

### **FIREARMS DEALERS' LICENSES**

The requirement for a separate ammunition dealer's license is eliminated entirely. The period of a dealer's license is extended from one year to three years. The fee for an original license remains at \$125, but renewals for successive three-year periods cost \$56.25.

If a dealer is fingerprinted in the process of obtaining either a pistol dealer or other firearms dealer license, the dealer need not be fingerprinted to obtain the other of these two nor to obtain a CPL.

A provision is added explicitly requiring local issuing authorities to notify dealers' license applicants in writing of whether they have been approved.

**Fiscal Note:** Requested February 3, 1997.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

Office of Program Research