
SENATE BILL 5456

State of Washington

60th Legislature

2007 Regular Session

By Senator Morton

Read first time 01/19/2007. Referred to Committee on Judiciary.

1 AN ACT Relating to nonresidents' participation in hunting and
2 organized shooting events; and amending RCW 9.41.170.

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

4 **Sec. 1.** RCW 9.41.170 and 1996 c 295 s 11 are each amended to read
5 as follows:

6 (1) Except as provided in subsection (4) of this section, it is a
7 class C felony for any person who is not a citizen of the United States
8 to carry or possess any firearm, without first having obtained an alien
9 firearm license from the director of licensing. In order to be
10 eligible for a license, an alien must provide proof that he or she is
11 lawfully present in the United States, which the director of licensing
12 shall verify through the appropriate authorities. Except as provided
13 in subsection (2)(a) of this section, and subject to the additional
14 requirements of subsection (2)(b) of this section, the director of
15 licensing may issue an alien firearm license only upon receiving from
16 the consul domiciled in this state representing the country of the
17 alien, a certified copy of the alien's criminal history in the alien's
18 country indicating the alien is not ineligible under RCW 9.41.040 to

1 own, possess, or control a firearm, and the consul's attestation that
2 the alien is a responsible person.

3 (2)(a) Subject to the additional requirements of (b) of this
4 subsection, the director of licensing may issue an alien firearm
5 license without a certified copy of the alien's criminal history or the
6 consul's attestation required by subsection (1) of this section, if the
7 alien has been a resident of this state or another state for at least
8 two years and: (i) The alien is from a country without a consul
9 domiciled within this state, or (ii) the consul has failed to provide,
10 within ninety days after a request by the alien, the criminal history
11 or attestation required by subsection (1) of this section.

12 (b) Before issuing an alien firearm license under subsection (1) of
13 this section or this subsection (2), the director of licensing shall
14 ask the local law enforcement agency of the jurisdiction in which the
15 alien resides to complete a background and fingerprint check to
16 determine the alien's eligibility under RCW 9.41.040 to own, possess,
17 or control a firearm. The law enforcement agency shall complete a
18 background check within thirty days after the request, unless the alien
19 does not have a valid Washington driver's license or Washington state
20 identification card. In the latter case, the law enforcement agency
21 shall complete the background check within sixty days after the
22 request.

23 A signed application for an alien firearm license shall constitute
24 a waiver of confidentiality and written request that the department of
25 social and health services, mental health institutions, and other
26 health care facilities release information relevant to the applicant's
27 eligibility for an alien firearm license to an inquiring law
28 enforcement agency.

29 (3) The alien firearm license shall be valid for five years from
30 the date of issue so long as the alien is lawfully present in the
31 United States. The nonrefundable fee, paid upon application, for the
32 five-year license shall be fifty-five dollars plus additional charges
33 imposed by the Federal Bureau of Investigation that are passed on to
34 the applicant. The fee shall be distributed as follows:

35 (a) Fifteen dollars shall be paid to the department of licensing;

36 (b) Twenty-five dollars shall be paid to the Washington state
37 patrol; and

1 (c) Fifteen dollars shall be paid to the local law enforcement
2 agency conducting the background check.

3 (4) This section shall not apply to (~~Canadian citizens resident in~~
4 ~~a province which has an enactment or public policy providing~~
5 ~~substantially similar privilege to residents of the state of~~
6 ~~Washington~~) nonimmigrant aliens in possession of a valid Washington
7 hunting license or an invitation or registration to attend a
8 competitive target shooting event and who are carrying or possessing
9 weapons for the purpose of using them in the hunting of game while such
10 persons are in the act of hunting, or while on a hunting trip, or while
11 such persons are competing in a bona fide trap or skeet shoot or any
12 other organized contest sponsored by a national, state, or local
13 organization devoted to the competitive or sporting use of firearms
14 where rifles, pistols, or shotguns are used. Nothing in this section
15 shall be construed to allow aliens to hunt or fish in this state
16 without first having obtained a regular hunting or fishing license.

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