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**HOUSE BILL 2103**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Representatives Shea, Blake, McCaslin, Young, Boehnke, Sutherland, Walsh, Dent, Graham, Ybarra, Chandler, Barkis, Rude, Eslick, and Corry

Read first time 02/20/19. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to increasing public safety, in accordance with  
2 Article 1, section 24 of the state Constitution and the Second  
3 Amendment of the United States Constitution, by simplifying firearms  
4 regulations; amending RCW 9.41.010, 9.41.050, 9.41.060, 9.41.073,  
5 9.41.075, 9.41.090, 9.41.092, 9.41.098, 9.41.110, 9.41.113, 9.41.122,  
6 9.41.124, 9.41.171, 9.41.190, 9.41.220, 9.41.225, 9.41.230, 9.41.240,  
7 and 9.41.280; reenacting and amending RCW 9.41.070 and 9.94A.515;  
8 creating new sections; repealing RCW 9.41.065, 9.41.080, 9.41.094,  
9 9.41.097, 9.41.0975, 9.41.114, 9.41.129, 9.41.137, 9.41.139,  
10 9.41.173, 9.41.175, 9.41.350, 9.41.352, 9.41.360, 9.41.365,  
11 36.28A.400, 36.28A.405, 36.28A.410, 36.28A.420, and 43.43.823;  
12 prescribing penalties; providing an effective date; and declaring an  
13 emergency.

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

15 NEW SECTION. **Sec. 1.** This act may be known and cited as the  
16 people's defense of the Second Amendment act of 2019.

17 NEW SECTION. **Sec. 2.** Gun violence is far too common in  
18 Washington state and across the country, particularly gun violence  
19 involving victims who are law-abiding citizens and who, if they had  
20 been armed, could have stopped the violence quickly without excessive

1 loss of life or injury to other citizens. Burdensome firearms  
2 regulations in the state of Washington are causing law-abiding  
3 citizens to become more vulnerable to violent crimes, because they  
4 are unable to afford the necessary firearms permits, or are unable to  
5 obtain a firearm at all because of old and outdated regulations. The  
6 legislature finds and declares, in accordance with Article I, section  
7 24 of the state Constitution and the Second Amendment of the United  
8 States Constitution, that it is critical that excessive firearms  
9 regulations be amended and repealed to restore the right of law-  
10 abiding citizens to defend themselves, their children, and other  
11 citizens from the unlawful acts of all those who would seek to take  
12 advantage of the aforementioned vulnerability of the citizens of  
13 Washington. An unhindered and well-armed public can stop the acts of  
14 the unlawful and predatory criminals.

15 **Sec. 3.** RCW 9.41.010 and 2019 c 3 s 16 (Initiative Measure No.  
16 1639) are each amended to read as follows:

17 Unless the context clearly requires otherwise, the definitions in  
18 this section apply throughout this chapter.

19 (1) "Antique firearm" means a firearm or replica of a firearm not  
20 designed or redesigned for using rim fire or conventional center fire  
21 ignition with fixed ammunition and manufactured in or before 1898,  
22 including any matchlock, flintlock, percussion cap, or similar type  
23 of ignition system and also any firearm using fixed ammunition  
24 manufactured in or before 1898, for which ammunition is no longer  
25 manufactured in the United States and is not readily available in the  
26 ordinary channels of commercial trade.

27 (2) "Barrel length" means the distance from the bolt face of a  
28 closed action down the length of the axis of the bore to the crown of  
29 the muzzle, or in the case of a barrel with attachments to the end of  
30 any legal device permanently attached to the end of the muzzle.

31 (3) (~~"Bump-fire stock" means a butt stock designed to be~~  
32 ~~attached to a semiautomatic firearm with the effect of increasing the~~  
33 ~~rate of fire achievable with the semiautomatic firearm to that of a~~  
34 ~~fully automatic firearm by using the energy from the recoil of the~~  
35 ~~firearm to generate reciprocating action that facilitates repeated~~  
36 ~~activation of the trigger.~~

37 (4)) "Crime of violence" means:

38 (a) Any of the following felonies, as now existing or hereafter  
39 amended: Any felony defined under any law as a class A felony or an

1 attempt to commit a class A felony, criminal solicitation of or  
2 criminal conspiracy to commit a class A felony, manslaughter in the  
3 first degree, manslaughter in the second degree, indecent liberties  
4 if committed by forcible compulsion, kidnapping in the second degree,  
5 arson in the second degree, assault in the second degree, assault of  
6 a child in the second degree, extortion in the first degree, burglary  
7 in the second degree, residential burglary, and robbery in the second  
8 degree;

9 (b) Any conviction for a felony offense in effect at any time  
10 prior to June 6, 1996, which is comparable to a felony classified as  
11 a crime of violence in (a) of this subsection; and

12 (c) Any federal or out-of-state conviction for an offense  
13 comparable to a felony classified as a crime of violence under (a) or  
14 (b) of this subsection.

15 ~~((+5))~~ (4) "Curio or relic" has the same meaning as provided in  
16 27 C.F.R. Sec. 478.11.

17 ~~((+6))~~ (5) "Dealer" means a person engaged in the business of  
18 selling firearms at wholesale or retail who has, or is required to  
19 have, a federal firearms license under 18 U.S.C. Sec. 923(a). A  
20 person who does not have, and is not required to have, a federal  
21 firearms license under 18 U.S.C. Sec. 923(a), is not a dealer if that  
22 person makes only occasional sales, exchanges, or purchases of  
23 firearms for the enhancement of a personal collection or for a hobby,  
24 or sells all or part of his or her personal collection of firearms.

25 ~~((+7))~~ (6) "Family or household member" means "family" or  
26 "household member" as used in RCW 10.99.020.

27 ~~((+8))~~ (7) "Felony" means any felony offense under the laws of  
28 this state or any federal or out-of-state offense comparable to a  
29 felony offense under the laws of this state.

30 ~~((+9))~~ (8) "Felony firearm offender" means a person who has  
31 previously been convicted or found not guilty by reason of insanity  
32 in this state of any felony firearm offense. A person is not a felony  
33 firearm offender under this chapter if any and all qualifying  
34 offenses have been the subject of an expungement, pardon, annulment,  
35 certificate, or rehabilitation, or other equivalent procedure based  
36 on a finding of the rehabilitation of the person convicted or a  
37 pardon, annulment, or other equivalent procedure based on a finding  
38 of innocence.

39 ~~((+10))~~ (9) "Felony firearm offense" means:

40 (a) Any felony offense that is a violation of this chapter;

1 (b) A violation of RCW 9A.36.045;

2 (c) A violation of RCW 9A.56.300;

3 (d) A violation of RCW 9A.56.310;

4 (e) Any felony offense if the offender was armed with a firearm  
5 in the commission of the offense.

6 (~~(11)~~) (10) "Firearm" means a weapon or device from which a  
7 projectile or projectiles may be fired by an explosive such as  
8 gunpowder. "Firearm" does not include a flare gun or other  
9 pyrotechnic visual distress signaling device, or a powder-actuated  
10 tool or other device designed solely to be used for construction  
11 purposes.

12 (~~(12)~~) (11) "Gun" has the same meaning as firearm.

13 (~~(13)~~) (12) "Law enforcement officer" includes a general  
14 authority Washington peace officer as defined in RCW 10.93.020, or a  
15 specially commissioned Washington peace officer as defined in RCW  
16 10.93.020. "Law enforcement officer" also includes a limited  
17 authority Washington peace officer as defined in RCW 10.93.020 if  
18 such officer is duly authorized by his or her employer to carry a  
19 concealed pistol.

20 (~~(14)~~) (13) "Lawful permanent resident" has the same meaning  
21 afforded a person "lawfully admitted for permanent residence" in 8  
22 U.S.C. Sec. 1101(a)(20).

23 (~~(15)~~) (14) "Licensed collector" means a person who is  
24 federally licensed under 18 U.S.C. Sec. 923(b).

25 (~~(16)~~) (15) "Licensed dealer" means a person who is federally  
26 licensed under 18 U.S.C. Sec. 923(a).

27 (~~(17)~~) (16) "Loaded" means:

28 (a) There is a cartridge in the chamber of the firearm;

29 (b) Cartridges are in a clip that is locked in place in the  
30 firearm;

31 (c) There is a cartridge in the cylinder of the firearm, if the  
32 firearm is a revolver;

33 (d) There is a cartridge in the tube or magazine that is inserted  
34 in the action; or

35 (e) There is a ball in the barrel and the firearm is capped or  
36 primed if the firearm is a muzzle loader.

37 (~~(18)~~) (17) "Machine gun" means any firearm known as a machine  
38 gun, mechanical rifle, submachine gun, or any other mechanism or  
39 instrument not requiring that the trigger be pressed for each shot  
40 and having a reservoir clip, disc, drum, belt, or other separable

1 mechanical device for storing, carrying, or supplying ammunition  
2 which can be loaded into the firearm, mechanism, or instrument, and  
3 fired therefrom at the rate of five or more shots per second.

4 ~~((19))~~ (18) "Nonimmigrant alien" means a person defined as such  
5 in 8 U.S.C. Sec. 1101(a) (15).

6 ~~((20))~~ (19) "Person" means any individual, corporation,  
7 company, association, firm, partnership, club, organization, society,  
8 joint stock company, or other legal entity.

9 ~~((21))~~ (20) "Pistol" means any firearm with a barrel less than  
10 sixteen inches in length, or is designed to be held and fired by the  
11 use of a single hand.

12 ~~((22))~~ (21) "Rifle" means a weapon designed or redesigned, made  
13 or remade, and intended to be fired from the shoulder and designed or  
14 redesigned, made or remade, and intended to use the energy of the  
15 explosive in a fixed metallic cartridge to fire only a single  
16 projectile through a rifled bore for each single pull of the trigger.

17 ~~((23))~~ (22) "Sale" and "sell" mean the actual approval of the  
18 delivery of a firearm in consideration of payment or promise of  
19 payment.

20 ~~((24) "Secure gun storage" means:~~

21 ~~(a) A locked box, gun safe, or other secure locked storage space  
22 that is designed to prevent unauthorized use or discharge of a  
23 firearm; and~~

24 ~~(b) The act of keeping an unloaded firearm stored by such means.~~

25 ~~(25) "Semiautomatic assault rifle" means any rifle which utilizes  
26 a portion of the energy of a firing cartridge to extract the fired  
27 cartridge case and chamber the next round, and which requires a  
28 separate pull of the trigger to fire each cartridge.~~

29 ~~"Semiautomatic assault rifle" does not include antique firearms,  
30 any firearm that has been made permanently inoperable, or any firearm  
31 that is manually operated by bolt, pump, lever, or slide action.~~

32 ~~(26))~~ (23) "Serious offense" means any of the following felonies  
33 or a felony attempt to commit any of the following felonies, as now  
34 existing or hereafter amended:

35 (a) Any crime of violence;

36 (b) Any felony violation of the uniform controlled substances  
37 act, chapter 69.50 RCW, that is classified as a class B felony or  
38 that has a maximum term of imprisonment of at least ten years;

39 (c) Child molestation in the second degree;

40 (d) Incest when committed against a child under age fourteen;

1 (e) Indecent liberties;  
2 (f) Leading organized crime;  
3 (g) Promoting prostitution in the first degree;  
4 (h) Rape in the third degree;  
5 (i) Drive-by shooting;  
6 (j) Sexual exploitation;  
7 (k) Vehicular assault, when caused by the operation or driving of  
8 a vehicle by a person while under the influence of intoxicating  
9 liquor or any drug or by the operation or driving of a vehicle in a  
10 reckless manner;  
11 (l) Vehicular homicide, when proximately caused by the driving of  
12 any vehicle by any person while under the influence of intoxicating  
13 liquor or any drug as defined by RCW 46.61.502, or by the operation  
14 of any vehicle in a reckless manner;  
15 (m) Any other class B felony offense with a finding of sexual  
16 motivation, as "sexual motivation" is defined under RCW 9.94A.030;  
17 (n) Any other felony with a deadly weapon verdict under RCW  
18 9.94A.825;  
19 (o) Any felony offense in effect at any time prior to June 6,  
20 1996, that is comparable to a serious offense, or any federal or out-  
21 of-state conviction for an offense that under the laws of this state  
22 would be a felony classified as a serious offense; or  
23 (p) Any felony conviction under RCW 9.41.115.  
24 ~~((27) "Short-barreled rifle" means a rifle having one or more~~  
25 ~~barrels less than sixteen inches in length and any weapon made from a~~  
26 ~~rifle by any means of modification if such modified weapon has an~~  
27 ~~overall length of less than twenty-six inches.~~  
28 ~~(28) "Short-barreled shotgun" means a shotgun having one or more~~  
29 ~~barrels less than eighteen inches in length and any weapon made from~~  
30 ~~a shotgun by any means of modification if such modified weapon has an~~  
31 ~~overall length of less than twenty-six inches.~~  
32 ~~(29))~~ (24) "Shotgun" means a weapon with one or more barrels,  
33 designed or redesigned, made or remade, and intended to be fired from  
34 the shoulder and designed or redesigned, made or remade, and intended  
35 to use the energy of the explosive in a fixed shotgun shell to fire  
36 through a smooth bore either a number of ball shot or a single  
37 projectile for each single pull of the trigger.  
38 ~~((30))~~ (25) "Transfer" means the intended delivery of a firearm  
39 to another person without consideration of payment or promise of  
40 payment including, but not limited to, gifts and loans. "Transfer"

1 does not include the delivery of a firearm owned or leased by an  
2 entity licensed or qualified to do business in the state of  
3 Washington to, or return of such a firearm by, any of that entity's  
4 employees or agents, defined to include volunteers participating in  
5 an honor guard, for lawful purposes in the ordinary course of  
6 business.

7 ~~((31))~~ (26) "Unlicensed person" means any person who is not a  
8 licensed dealer under this chapter.

9 **Sec. 4.** RCW 9.41.050 and 2003 c 53 s 28 are each amended to read  
10 as follows:

11 (1)(a) Except in the person's place of abode or fixed place of  
12 business, a person shall not carry a pistol concealed on his or her  
13 person without a license to carry a concealed pistol.

14 (b) Every licensee shall have his or her concealed pistol license  
15 in his or her immediate possession at all times that he or she is  
16 required by this section to have a concealed pistol license and shall  
17 display the same upon demand to any police officer or to any other  
18 person when and if required by law to do so. Any violation of this  
19 subsection (1)(b) shall be a class 1 civil infraction under chapter  
20 7.80 RCW and shall be punished accordingly pursuant to chapter 7.80  
21 RCW and the infraction rules for courts of limited jurisdiction.

22 ~~(2)((a)) A person ((shall not carry or place a loaded pistol in  
23 any vehicle unless the person has a license to carry a concealed  
24 pistol and: (i) The pistol is on the licensee's person, (ii) the  
25 licensee is within the vehicle at all times that the pistol is there,  
26 or (iii) the licensee is away from the vehicle and the pistol is  
27 locked within the vehicle and concealed from view from outside the  
28 vehicle.~~

29 ~~(b) A violation of this subsection is a misdemeanor.~~

30 ~~(3)(a) A person at least eighteen years of age who is in  
31 possession of an unloaded pistol shall not leave the unloaded pistol  
32 in a vehicle unless the unloaded pistol is locked within the vehicle  
33 and concealed from view from outside the vehicle.~~

34 ~~(b) A violation of this subsection is a misdemeanor.)~~ may carry a  
35 loaded pistol in a vehicle for the purpose of self-defense,  
36 prevention of a felony crime, or protection of the public.

37 ~~((4))~~ (3) Nothing in this section permits the possession of  
38 firearms illegal to possess under state or federal law.

1       **Sec. 5.** RCW 9.41.060 and 2011 c 221 s 1 are each amended to read  
2 as follows:

3       The provisions of RCW 9.41.050 shall not apply to:

4       (1) Marshals, sheriffs, prison or jail wardens or their deputies,  
5 or correctional personnel and community corrections officers as long  
6 as they are employed as such who have completed government-sponsored  
7 law enforcement firearms training (~~((and have been subject to a check  
8 through the national instant criminal background check system or an  
9 equivalent background check within the past five years, or other law  
10 enforcement officers of this state or another state. Correctional  
11 personnel and community corrections officers seeking the waiver  
12 provided for by this section are required to pay for any background  
13 check that is needed in order to exercise the waiver))~~);

14       (2) Members of the armed forces of the United States or of the  
15 national guard or organized reserves, when on or off duty, and  
16 retired members of the armed forces of the United States or of the  
17 national guard or organized reserves;

18       (3) Officers or employees of the United States duly authorized to  
19 carry a concealed pistol;

20       (4) Any person engaged in the business of manufacturing,  
21 repairing, or dealing in firearms, or the agent or representative of  
22 the person, if possessing, using, or carrying a pistol in the usual  
23 or ordinary course of the business;

24       (5) Regularly enrolled members of any organization duly  
25 authorized to purchase or receive pistols from the United States or  
26 from this state;

27       (6) Regularly enrolled members of clubs organized for the purpose  
28 of target shooting, when those members are at or are going to or from  
29 their places of target practice;

30       (7) Regularly enrolled members of clubs organized for the purpose  
31 of modern and antique firearm collecting, when those members are at  
32 or are going to or from their collector's gun shows and exhibits;

33       (8) Any person engaging in a lawful outdoor recreational activity  
34 such as hunting, fishing, camping, hiking, or horseback riding, only  
35 if, considering all of the attendant circumstances, including but not  
36 limited to whether the person has a valid hunting or fishing license,  
37 it is reasonable to conclude that the person is participating in  
38 lawful outdoor activities or is traveling to or from a legitimate  
39 outdoor recreation area;



1 (9) Any person while carrying a pistol unloaded and in a closed  
2 opaque case or secure wrapper; or

3 (10) Law enforcement officers retired for service or physical  
4 disabilities, except for those law enforcement officers retired  
5 because of mental or stress-related disabilities. This subsection  
6 applies ~~((only to a))~~ to any retired officer who has ~~((:-(a)-Obtained~~  
7 ~~documentation from a law enforcement agency within Washington state~~  
8 ~~from which he or she retired that is signed by the agency's chief law~~  
9 ~~enforcement officer and that states that the retired officer was~~  
10 ~~retired for service or physical disability; and (b))~~) not been  
11 convicted or found not guilty by reason of insanity of a crime making  
12 him or her ineligible for a concealed pistol license.

13 **Sec. 6.** RCW 9.41.070 and 2018 c 226 s 2 and 2018 c 201 s 6002  
14 are each reenacted and amended to read as follows:

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

28 The applicant's constitutional right to bear arms shall not be  
29 denied, unless:

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

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

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

36 (d) He or she is subject to a court order or injunction regarding  
37 firearms pursuant to chapter ~~((s))~~ 7.90, 7.92, or 7.94 RCW, or RCW  
38 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060,

1 26.10.040, 26.10.115, (~~26.26.130~~) 26.26B.020, 26.50.060, 26.50.070,  
2 or 26.26.590;

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

5 (f) He or she has an outstanding warrant for his or her arrest  
6 from any court of competent jurisdiction for a felony or  
7 misdemeanor (~~or~~

8 ~~(g) He or she has been ordered to forfeit a firearm under RCW  
9 9.41.098(1)(e) within one year before filing an application to carry  
10 a pistol concealed on his or her person~~)).

11 No person convicted of a felony may have his or her right to  
12 possess firearms restored or his or her privilege to carry a  
13 concealed pistol restored, unless the person has been granted relief  
14 from disabilities by the attorney general under 18 U.S.C. Sec.  
15 925(c), or RCW 9.41.040 (3) or (4) applies.

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

24 (b) The issuing authority shall deny a permit to anyone who is  
25 found to be prohibited from possessing a firearm under federal or  
26 state law.

27 (c) This subsection applies whether the applicant is applying for  
28 a new concealed pistol license or to renew a concealed pistol  
29 license.

30 (3) Any person whose firearms rights have been restricted and who  
31 has been granted relief from disabilities by the attorney general  
32 under 18 U.S.C. Sec. 925(c) or who is exempt under 18 U.S.C. Sec.  
33 921(a)(20)(A) shall have his or her right to acquire, receive,  
34 transfer, ship, transport, carry, and possess firearms in accordance  
35 with Washington state law restored except as otherwise prohibited by  
36 this chapter.

37 (4) The license application shall bear the full name, residential  
38 address, telephone number at the option of the applicant, email  
39 address at the option of the applicant, date and place of birth,  
40 race, gender, description, a complete set of fingerprints, and

1 signature of the licensee, and the licensee's driver's license number  
2 or state identification card number if used for identification in  
3 applying for the license. (~~A signed application for a concealed  
4 pistol license shall constitute a waiver of confidentiality and  
5 written request that the health care authority, mental health  
6 institutions, and other health care facilities release information  
7 relevant to the applicant's eligibility for a concealed pistol  
8 license to an inquiring court or law enforcement agency.~~)

9 The application for an original license shall include a complete  
10 set of fingerprints to be forwarded to the Washington state patrol.

11 The license and application shall contain a warning substantially  
12 as follows:

13 CAUTION: Although state and local laws do not differ, federal  
14 law and state law on the possession of firearms differ. If  
15 you are prohibited by federal law from possessing a firearm,  
16 you may be prosecuted in federal court. A state license is  
17 not a defense to a federal prosecution.

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

22 The application shall contain questions about the applicant's  
23 eligibility under RCW 9.41.040 and federal law to possess a pistol,  
24 the applicant's place of birth, and whether the applicant is a United  
25 States citizen. (~~If the applicant is not a United States citizen,  
26 the applicant must provide the applicant's country of citizenship,  
27 United States issued alien number or admission number, and the basis  
28 on which the applicant claims to be exempt from federal prohibitions  
29 on firearm possession by aliens. The applicant shall not be required  
30 to produce a birth certificate or other evidence of citizenship. A  
31 person who is not a citizen of the United States shall, if  
32 applicable, meet the additional requirements of RCW 9.41.173 and  
33 produce proof of compliance with RCW 9.41.173 upon application. The  
34 license may be in triplicate or in a form to be prescribed by the  
35 department of licensing.~~)

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

38 The original thereof shall be delivered to the licensee, the  
39 duplicate shall within seven days be sent to the director of

1 licensing and the triplicate shall be preserved for six years, by the  
2 authority issuing the license.

3 The department of licensing shall make available to law  
4 enforcement and corrections agencies, in an on-line format, all  
5 information received under this subsection.

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

12 The fee shall be distributed as follows:

13 (a) Fifteen dollars shall be paid to the state general fund;

14 (b) Four dollars shall be paid to the agency taking the  
15 fingerprints of the person licensed;

16 (c) Fourteen dollars shall be paid to the issuing authority for  
17 the purpose of enforcing this chapter;

18 (d) Two dollars and sixteen cents to the firearms range account  
19 in the general fund; and

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

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

26 The renewal fee shall be distributed as follows:

27 (a) Fifteen dollars shall be paid to the state general fund;

28 (b) Fourteen dollars shall be paid to the issuing authority for  
29 the purpose of enforcing this chapter;

30 (c) Two dollars and sixteen cents to the firearms range account  
31 in the general fund; and

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

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

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

39 (9) (a) A licensee may renew a license if the licensee applies for  
40 renewal within ninety days before or after the expiration date of the

1 license. A license so renewed shall take effect on the expiration  
2 date of the prior license. A licensee renewing after the expiration  
3 date of the license must pay a late renewal penalty of ten dollars in  
4 addition to the renewal fee specified in subsection (6) of this  
5 section. The fee shall be distributed as follows:

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

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

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

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

35 (11) A political subdivision of the state shall not modify the  
36 requirements of this section or chapter, nor may a political  
37 subdivision ask the applicant to voluntarily submit any information  
38 not required by this section.

39 (12) A person who knowingly makes a false statement regarding  
40 citizenship or identity on an application for a concealed pistol

1 license is guilty of false swearing under RCW 9A.72.040. In addition  
2 to any other penalty provided for by law, the concealed pistol  
3 license of a person who knowingly makes a false statement shall be  
4 revoked, and the person shall be permanently ineligible for a  
5 concealed pistol license.

6 (13) A person may apply for a concealed pistol license:

7 (a) To the municipality or to the county in which the applicant  
8 resides if the applicant resides in a municipality;

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

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

12 (14) Any person who, as a member of the armed forces, including  
13 the national guard and armed forces reserves, is unable to renew his  
14 or her license under subsections (6) and (9) of this section because  
15 of the person's assignment, reassignment, or deployment for out-of-  
16 state military service may renew his or her license within ninety  
17 days after the person returns to this state from out-of-state  
18 military service, if the person provides the following to the issuing  
19 authority no later than ninety days after the person's date of  
20 discharge or assignment, reassignment, or deployment back to this  
21 state: (a) A copy of the person's original order designating the  
22 specific period of assignment, reassignment, or deployment for out-  
23 of-state military service, and (b) if appropriate, a copy of the  
24 person's discharge or amended or subsequent assignment, reassignment,  
25 or deployment order back to this state. A license so renewed under  
26 this subsection (14) shall take effect on the expiration date of the  
27 prior license. A licensee renewing after the expiration date of the  
28 license under this subsection (14) shall pay only the renewal fee  
29 specified in subsection (6) of this section and shall not be required  
30 to pay a late renewal penalty in addition to the renewal fee.

31 **Sec. 7.** RCW 9.41.073 and 2004 c 148 s 1 are each amended to read  
32 as follows:

33 (1) (a) A person licensed to carry a pistol in a state (~~the laws~~  
34 ~~of which recognize and give effect in that state to a concealed~~  
35 ~~pistol license issued under the laws of the state of Washington~~)  
36 other than this state is authorized to carry a concealed pistol in  
37 this state if:

38 (i) The licensing state does not issue concealed pistol licenses  
39 to persons under twenty-one years of age; and

1 (ii) The licensing state requires mandatory fingerprint-based  
2 background checks of criminal ~~((and mental health))~~ history ~~((for all  
3 persons who apply for a concealed pistol license))~~.

4 (b) This section applies to a license holder from another state  
5 only while the license holder is not a resident of this state. A  
6 license holder from another state must carry the handgun in  
7 compliance with the laws of this state.

8 (2) The attorney general shall periodically publish a list of  
9 states the laws of which recognize and give effect in that state to a  
10 concealed pistol license issued under the laws of the state of  
11 Washington ~~((and which meet the requirements of subsection (1)(a)(i)  
12 and (ii) of this section))~~.

13 **Sec. 8.** RCW 9.41.075 and 2005 c 453 s 4 are each amended to read  
14 as follows:

15 (1) The license shall be revoked by the license-issuing authority  
16 immediately upon:

17 (a) ~~((Discovery by the issuing authority that the person was  
18 ineligible under RCW 9.41.070 for a concealed pistol license when  
19 applying for the license or license renewal;~~

20 ~~(b))~~ Conviction of the licensee, or the licensee being found not  
21 guilty by reason of insanity, of an offense, or commitment of the  
22 licensee for mental health treatment, that makes a person ineligible  
23 under RCW 9.41.040 to possess a firearm;

24 ~~((e))~~ (b) Conviction of the licensee for a third violation of  
25 this chapter within five calendar years; or

26 ~~((d))~~ (c) An order that the licensee forfeit a firearm under  
27 RCW 9.41.098(1) ~~((d))~~ (c).

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

33 ~~(b) Upon discovering a person issued a concealed pistol license  
34 was ineligible for the license, the issuing authority shall contact  
35 the department of licensing to determine whether the person purchased  
36 a pistol while in possession of the license. If the person did  
37 purchase a pistol while in possession of the concealed pistol  
38 license, if the person may not lawfully possess a pistol without a  
39 concealed pistol license, the issuing authority shall require the~~

1 ~~person to present satisfactory evidence of having lawfully~~  
2 ~~transferred ownership of the pistol. The issuing authority shall~~  
3 ~~require the person to produce the evidence within fifteen days of the~~  
4 ~~revocation of the license.~~

5 ~~(3))~~ When a licensee is ordered to forfeit a firearm under RCW  
6 9.41.098(1) ~~((d))~~ (c), the issuing authority shall:

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

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

9 or

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

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

15 ~~((4))~~ (3) The issuing authority shall notify, in writing, the  
16 department of licensing of the revocation of a license. The  
17 department of licensing shall record the revocation.

18 **Sec. 9.** RCW 9.41.090 and 2019 c 3 s 3 (Initiative Measure No.  
19 1639) are each amended to read as follows:

20 (1) In addition to the other requirements of this chapter, no  
21 dealer may deliver a pistol to the purchaser thereof until:

22 (a) The purchaser produces a valid concealed pistol license and  
23 the dealer has recorded the purchaser's name, license number, and  
24 issuing agency, such record to be made in triplicate and processed as  
25 provided in subsection ~~((6))~~ (5) of this section. For purposes of  
26 this subsection (1)(a), a "valid concealed pistol license" does not  
27 include a temporary emergency license, and does not include any  
28 license issued before July 1, 1996, unless the issuing agency  
29 conducted a records search for disqualifying crimes under RCW  
30 9.41.070 at the time of issuance;

31 (b) The dealer is notified in writing by ~~((i))~~ the chief of  
32 police or the sheriff of the jurisdiction in which the purchaser  
33 resides that the purchaser is eligible to possess a pistol under RCW  
34 9.41.040 and that the application to purchase is approved by the  
35 chief of police or sheriff; or ~~((ii) the state that the purchaser is~~  
36 ~~eligible to possess a firearm under RCW 9.41.040, as provided in~~  
37 ~~subsection (3)(b) of this section; or)~~

38 (c) The requirements or time periods in RCW 9.41.092 have been  
39 satisfied.



1           ~~(2) ((In addition to the other requirements of this chapter, no~~  
2 ~~dealer may deliver a semiautomatic assault rifle to the purchaser~~  
3 ~~thereof until:~~

4           ~~(a) The purchaser provides proof that he or she has completed a~~  
5 ~~recognized firearm safety training program within the last five years~~  
6 ~~that, at a minimum, includes instruction on:~~

- 7           ~~(i) Basic firearms safety rules;~~  
8           ~~(ii) Firearms and children, including secure gun storage and~~  
9 ~~talking to children about gun safety;~~  
10          ~~(iii) Firearms and suicide prevention;~~  
11          ~~(iv) Secure gun storage to prevent unauthorized access and use;~~  
12          ~~(v) Safe handling of firearms; and~~  
13          ~~(vi) State and federal firearms laws, including prohibited~~  
14 ~~firearms transfers.~~

15          ~~The training must be sponsored by a federal, state, county, or~~  
16 ~~municipal law enforcement agency, a college or university, a~~  
17 ~~nationally recognized organization that customarily offers firearms~~  
18 ~~training, or a firearms training school with instructors certified by~~  
19 ~~a nationally recognized organization that customarily offers firearms~~  
20 ~~training. The proof of training shall be in the form of a~~  
21 ~~certification that states under the penalty of perjury the training~~  
22 ~~included the minimum requirements; and~~

23          ~~(b) The dealer is notified in writing by (i) the chief of police~~  
24 ~~or the sheriff of the jurisdiction in which the purchaser resides~~  
25 ~~that the purchaser is eligible to possess a firearm under~~  
26 ~~RCW 9.41.040 and that the application to purchase is approved by the~~  
27 ~~chief of police or sheriff; or (ii) the state that the purchaser is~~  
28 ~~eligible to possess a firearm under RCW 9.41.040, as provided in~~  
29 ~~subsection (3) (b) of this section; or~~

30          ~~(c) The requirements or time periods in RCW 9.41.092 have been~~  
31 ~~satisfied.~~

32          ~~(3) (a) Except as provided in (b) of this subsection,~~) In  
33 determining whether the purchaser meets the requirements of RCW  
34 9.41.040, the chief of police or sheriff, or the designee of either,  
35 shall check with the national crime information center, including the  
36 national instant criminal background check system, provided for by  
37 the Brady handgun violence prevention act (18 U.S.C. Sec. 921 et  
38 seq.), and the Washington state patrol electronic database, ~~((the~~  
39 ~~health care authority electronic database, and with other agencies or~~

1 resources as appropriate,)) to determine whether the applicant is  
2 ineligible under RCW 9.41.040 to possess a firearm.

3 ~~(b) The state, through the legislature or initiative process, may~~  
4 ~~enact a statewide firearms background check system equivalent to, or~~  
5 ~~more comprehensive than, the check required by (a) of this subsection~~  
6 ~~to determine that a purchaser is eligible to possess a firearm under~~  
7 ~~RCW 9.41.040. Once a state system is established, a dealer shall use~~  
8 ~~the state system and national instant criminal background check~~  
9 ~~system, provided for by the Brady handgun violence prevention act (18~~  
10 ~~U.S.C. Sec. 921 et seq.), to make criminal background checks of~~  
11 ~~applicants to purchase firearms.~~

12 ~~(4))~~ (3) In any case under this section where the applicant has  
13 an outstanding warrant for his or her arrest from any court of  
14 competent jurisdiction for a felony or misdemeanor, the dealer shall  
15 hold the delivery of the pistol (~~or semiautomatic assault rifle~~)  
16 until the warrant for arrest is served and satisfied by appropriate  
17 court appearance. The local jurisdiction for purposes of the sale(~~or~~  
18 ~~the state pursuant to subsection (3)(b) of this section,~~) shall  
19 confirm the existence of outstanding warrants within seventy-two  
20 hours after notification of the application to purchase a pistol (~~or~~  
21 ~~semiautomatic assault rifle~~) is received. The local jurisdiction  
22 shall also immediately confirm the satisfaction of the warrant on  
23 request of the dealer so that the hold may be released if the warrant  
24 was for an offense other than an offense making a person ineligible  
25 under RCW 9.41.040 to possess a firearm.

26 ~~((5))~~ (4) In any case where the chief or sheriff of the local  
27 jurisdiction(~~, or the state pursuant to subsection (3)(b) of this~~  
28 ~~section,~~) has reasonable grounds based on the following  
29 circumstances: (a) Open criminal charges, (b) pending criminal  
30 proceedings, (c) (~~pending commitment proceedings,~~ ~~(d))~~) an  
31 outstanding warrant for an offense making a person ineligible under  
32 RCW 9.41.040 to possess a firearm, or ~~((e))~~ (d) an arrest for an  
33 offense making a person ineligible under RCW 9.41.040 to possess a  
34 firearm, if the records of disposition have not yet been reported or  
35 entered sufficiently to determine eligibility to purchase a firearm,  
36 the local jurisdiction (~~or the state~~) may hold the sale and  
37 delivery of the pistol (~~or semiautomatic assault rifle~~) up to  
38 ~~((thirty))~~ fifteen days in order to confirm existing records in this  
39 state or elsewhere. After ~~((thirty))~~ fifteen days, the hold will be  
40 lifted unless an extension of the ~~((thirty))~~ fifteen days is approved

1 by a local district court, superior court, or municipal court for  
2 good cause shown. A dealer shall be notified of each hold placed on  
3 the sale by local law enforcement (~~(or the state)~~) and of any  
4 application to the court for additional hold period to confirm  
5 records or confirm the identity of the applicant.

6 ~~((+6))~~ (5)(a) At the time of applying for the purchase of a  
7 pistol (~~(or semiautomatic assault rifle)~~), the purchaser shall sign  
8 in (~~(triplicate)~~) duplicate and deliver to the dealer an application  
9 containing:

10 (i) His or her full name, residential address, date and place of  
11 birth, race, and gender;

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

13 (iii) The applicant's driver's license number or state  
14 identification card number;

15 (iv) A description of the pistol (~~(or semiautomatic assault~~  
16 ~~rifle)~~) including the make, model, caliber and manufacturer's number  
17 if available at the time of applying for the purchase of a pistol  
18 (~~(or semiautomatic assault rifle)~~). If the manufacturer's number is  
19 not available at the time of applying for the purchase of a pistol  
20 (~~(or semiautomatic assault rifle)~~), the application may be processed,  
21 but delivery of the pistol (~~(or semiautomatic assault rifle)~~) to the  
22 purchaser may not occur unless the manufacturer's number is recorded  
23 on the application by the dealer and transmitted to the chief of  
24 police of the municipality or the sheriff of the county in which the  
25 purchaser resides (~~(, or the state pursuant to subsection (3)(b) of~~  
26 ~~this section)~~); and

27 (v) A statement that the purchaser is eligible to purchase and  
28 possess a firearm under state and federal law (~~(; and~~

29 ~~(vi) If purchasing a semiautomatic assault rifle, a statement by~~  
30 ~~the applicant under penalty of perjury that the applicant has~~  
31 ~~completed a recognized firearm safety training program within the~~  
32 ~~last five years, as required by subsection (2) of this section)).~~

33 (b) The application shall contain (~~(two)~~) a warning(~~(s)~~)  
34 substantially stated as follows:

35 (~~(+i)~~) CAUTION: Although state and local laws do not differ,  
36 federal law and state law on the possession of firearms differ. If  
37 you are prohibited by federal law from possessing a firearm, you may  
38 be prosecuted in federal court. State permission to purchase a  
39 firearm is not a defense to a federal prosecution (~~(; and~~

1       ~~(ii) CAUTION: The presence of a firearm in the home has been~~  
2 ~~associated with an increased risk of death to self and others,~~  
3 ~~including an increased risk of suicide, death during domestic~~  
4 ~~violence incidents, and unintentional deaths to children and~~  
5 ~~others)).~~

6       The purchaser shall be given a copy of the department of fish and  
7 wildlife pamphlet on the legal limits of the use of firearms and  
8 firearms safety.

9       (c) The dealer shall, by the end of the business day, sign and  
10 attach his or her address and deliver a copy of the application and  
11 such other documentation as required under subsection(~~(s)~~) (1) (~~and~~  
12 ~~(2)~~) of this section to the chief of police of the municipality or  
13 the sheriff of the county of which the purchaser is a resident(~~(, or~~  
14 ~~the state pursuant to subsection (3)(b) of this section. The~~  
15 ~~triplicate shall be retained by the dealer for six years)~~). The  
16 dealer shall deliver the pistol (~~(or semiautomatic assault rifle)~~) to  
17 the purchaser following the period of time specified in this chapter  
18 unless the dealer is notified of an investigative hold under  
19 subsection (~~(5)~~) (4) of this section in writing by the chief of  
20 police of the municipality(~~(, or~~) or the sheriff of the county(~~(, or~~  
21 ~~the state)~~), whichever is applicable, or of the denial of the  
22 purchaser's application to purchase and the grounds thereof. The  
23 application shall not be denied unless the purchaser is not eligible  
24 to purchase or possess the firearm under state or federal law.

25       (d) The chief of police of the municipality or the sheriff of the  
26 county(~~(, or the state pursuant to subsection (3)(b) of this~~  
27 ~~section,~~) shall (~~(retain or)~~) destroy applications to purchase a  
28 pistol (~~(or semiautomatic assault rifle)~~) in accordance with the  
29 requirements of 18 U.S.C. Sec. 922.

30       (~~(7)(a) To help offset the administrative costs of implementing~~  
31 ~~this section as it relates to new requirements for semiautomatic~~  
32 ~~assault rifles, the department of licensing may require the dealer to~~  
33 ~~charge each semiautomatic assault rifle purchaser or transferee a fee~~  
34 ~~not to exceed twenty-five dollars, except that the fee may be~~  
35 ~~adjusted at the beginning of each biennium to levels not to exceed~~  
36 ~~the percentage increase in the consumer price index for all urban~~  
37 ~~consumers, CPI-W, or a successor index, for the previous biennium as~~  
38 ~~calculated by the United States department of labor.~~

1 ~~(b) The fee under (a) of this subsection shall be no more than is~~  
2 ~~necessary to fund the following:~~

3 ~~(i) The state for the cost of meeting its obligations under this~~  
4 ~~section;~~

5 ~~(ii) The health care authority, mental health institutions, and~~  
6 ~~other health care facilities for state-mandated costs resulting from~~  
7 ~~the reporting requirements imposed by RCW 9.41.097(1); and~~

8 ~~(iii) Local law enforcement agencies for state-mandated local~~  
9 ~~costs resulting from the requirements set forth under RCW 9.41.090~~  
10 ~~and this section.~~

11 ~~(8))~~ (6) A person who knowingly makes a false statement  
12 regarding identity or eligibility requirements on the application to  
13 purchase a firearm is guilty of false swearing under RCW 9A.72.040.

14 ~~((9))~~ (7) This section does not apply to sales to licensed  
15 dealers for resale or to the sale of antique firearms.

16 **Sec. 10.** RCW 9.41.092 and 2019 c 3 s 4 (Initiative Measure No.  
17 1639) are each amended to read as follows:

18 ~~((1))~~ Except as otherwise provided in this chapter ~~((and except~~  
19 ~~for semiautomatic assault rifles under subsection (2) of this~~  
20 ~~section)), a licensed dealer ~~((may not))~~ must deliver any firearm to  
21 a purchaser or transferee ~~((until))~~ once the earlier of the following  
22 occurs:~~

23 ~~((a))~~ (1) The results of all required background checks are  
24 known and the purchaser or transferee ~~((i))~~ is not prohibited from  
25 owning or possessing a firearm under federal or state law ~~((and (ii)~~  
26 ~~does not have a voluntary waiver of firearm rights currently in~~  
27 ~~effect)); or~~

28 ~~((b))~~ (2) Ten business days have elapsed from the date the  
29 licensed dealer requested the background check. ~~((However, for sales~~  
30 ~~and transfers of pistols if the purchaser or transferee does not have~~  
31 ~~a valid permanent Washington driver's license or state identification~~  
32 ~~card or has not been a resident of the state for the previous~~  
33 ~~consecutive ninety days, then the time period in this subsection~~  
34 ~~shall be extended from ten business days to sixty days.~~

35 ~~(2) Except as otherwise provided in this chapter, a licensed~~  
36 ~~dealer may not deliver a semiautomatic assault rifle to a purchaser~~  
37 ~~or transferee until ten business days have elapsed from the date of~~  
38 ~~the purchase application or, in the case of a transfer, ten business~~  
39 ~~days have elapsed from the date a background check is initiated.))~~

1       **Sec. 11.** RCW 9.41.098 and 2016 sp.s. c 29 s 281 are each amended  
2 to read as follows:

3       (1) The superior courts and the courts of limited jurisdiction of  
4 the state may order forfeiture of a firearm which is proven to be:

5       (a) Found concealed on a person not authorized by RCW 9.41.060 or  
6 9.41.070 to carry a concealed pistol: PROVIDED, That it is an  
7 absolute defense to forfeiture if the person possessed a valid  
8 Washington concealed pistol license within the preceding two years  
9 and has not become ineligible for a concealed pistol license in the  
10 interim(~~(. Before the firearm may be returned, the person must pay~~  
11 ~~the past due renewal fee and the current renewal fee;~~

12       ~~(b) Commercially sold to any person without an application as~~  
13 ~~required by RCW 9.41.090));~~

14       ~~((c))~~ (b) In the possession of a person prohibited from  
15 possessing the firearm under RCW 9.41.040 or 9.41.045;

16       ~~((d))~~ (c) In the possession or under the control of a person at  
17 the time the person committed or was arrested for committing a felony  
18 or committing a nonfelony crime in which a firearm was used or  
19 displayed;

20       ~~((e) In the possession of a person who is in any place in which~~  
21 ~~a concealed pistol license is required, and who is under the~~  
22 ~~influence of any drug or under the influence of intoxicating liquor,~~  
23 ~~as defined in chapter 46.61 RCW;~~

24       ~~(f))~~ (d) In the possession of a person free on bail or personal  
25 recognizance pending trial, appeal, or sentencing for a felony or for  
26 a nonfelony crime in which a firearm was used or displayed, except  
27 that violations of Title 77 RCW shall not result in forfeiture under  
28 this section;

29       ~~((g))~~ (e) In the possession of a person found to have been  
30 mentally incompetent while in possession of a firearm when  
31 apprehended or who is thereafter committed pursuant to chapter 10.77  
32 RCW or committed for mental health treatment under chapter 71.05 RCW;

33       ~~((h))~~ (f) Used or displayed by a person in the violation of a  
34 proper written order of a court of general jurisdiction; or

35       ~~((i))~~ (g) Used in the commission of a felony or of a nonfelony  
36 crime in which a firearm was used or displayed.

37       (2) Upon order of forfeiture, the court in its discretion may  
38 order destruction of any forfeited firearm. A court may temporarily  
39 retain forfeited firearms needed for evidence.

1 (a) Except as provided in (b), (c), and (d) of this subsection,  
2 firearms (~~(that are: (i))~~) judicially forfeited and no longer needed  
3 for evidence (~~(; or (ii) forfeited due to a failure to make a claim~~  
4 ~~under RCW 63.32.010 or 63.40.010;~~) may be disposed of in any manner  
5 determined by the local legislative authority. Any proceeds of an  
6 auction or trade may be retained by the legislative authority. This  
7 subsection (2)(a) applies only to firearms that come into the  
8 possession of the law enforcement agency after June 30, 1993.

9 By midnight, June 30, 1993, every law enforcement agency shall  
10 prepare an inventory, under oath, of every firearm that has been  
11 judicially forfeited, has been seized and may be subject to judicial  
12 forfeiture, or that has been, or may be, forfeited due to a failure  
13 to make a claim under RCW 63.32.010 or 63.40.010.

14 (b) Except as provided in (c) of this subsection, of the  
15 inventoried firearms a law enforcement agency shall destroy illegal  
16 firearms, may retain a maximum of ten percent of legal forfeited  
17 firearms for agency use, and shall either:

18 (i) Comply with the provisions for the auction of firearms in  
19 (~~RCW 9.41.098~~) this section that were in effect immediately  
20 preceding May 7, 1993; or

21 (ii) Trade, auction, or arrange for the auction of, rifles and  
22 shotguns. In addition, the law enforcement agency shall either trade,  
23 auction, or arrange for the auction of, short firearms, or shall pay  
24 a fee of twenty-five dollars to the state treasurer for every short  
25 firearm neither auctioned nor traded, to a maximum of fifty thousand  
26 dollars. The fees shall be accompanied by an inventory, under oath,  
27 of every short firearm listed in the inventory required by (a) of  
28 this subsection, that has been neither traded nor auctioned. The  
29 state treasurer shall credit the fees to the firearms range account  
30 established in RCW 79A.25.210. All trades or auctions of firearms  
31 under this subsection shall be to licensed dealers. Proceeds of any  
32 auction less costs, including actual costs of storage and sale, shall  
33 be forwarded to the firearms range account established in RCW  
34 79A.25.210.

35 (c) Antique firearms and firearms recognized as curios, relics,  
36 and firearms of particular historical significance by the United  
37 States treasury department bureau of alcohol, tobacco, firearms, and  
38 explosives are exempt from destruction and shall be disposed of by  
39 auction or trade to licensed dealers.

1 (d) Firearms in the possession of the Washington state patrol on  
2 or after May 7, 1993, that are judicially forfeited and no longer  
3 needed for evidence, or forfeited due to a failure to make a claim  
4 under RCW 63.35.020, must be disposed of as follows: (i) Firearms  
5 illegal for any person to possess must be destroyed; (ii) the  
6 Washington state patrol may retain a maximum of ten percent of legal  
7 firearms for agency use; and (iii) all other legal firearms must be  
8 auctioned or traded to licensed dealers. The Washington state patrol  
9 may retain any proceeds of an auction or trade.

10 (3) The court shall order the firearm returned to the owner upon  
11 a showing that there is no probable cause to believe a violation of  
12 subsection (1) of this section existed or the firearm was stolen from  
13 the owner or the owner neither had knowledge of nor consented to the  
14 act or omission involving the firearm which resulted in its  
15 forfeiture.

16 (4) A law enforcement officer of the state or of any county or  
17 municipality may confiscate a firearm found to be in the possession  
18 of a person under circumstances specified in subsection (1) of this  
19 section. After confiscation, the firearm shall not be surrendered  
20 except: (a) To the prosecuting attorney for use in subsequent legal  
21 proceedings; (b) for disposition according to an order of a court  
22 having jurisdiction as provided in subsection (1) of this section; or  
23 (c) to the owner if the proceedings are dismissed or as directed in  
24 subsection (3) of this section.

25 **Sec. 12.** RCW 9.41.110 and 2019 c 3 s 10 (Initiative Measure No.  
26 1639) are each amended to read as follows:

27 (1) No dealer may sell or otherwise transfer, or expose for sale  
28 or transfer, or have in his or her possession with intent to sell, or  
29 otherwise transfer, any pistol without being licensed as provided in  
30 this section.

31 (2) No dealer may sell or otherwise transfer, or expose for sale  
32 or transfer, or have in his or her possession with intent to sell, or  
33 otherwise transfer, any firearm other than a pistol without being  
34 licensed as provided in this section.

35 (3) No dealer may sell or otherwise transfer, or expose for sale  
36 or transfer, or have in his or her possession with intent to sell, or  
37 otherwise transfer, any ammunition without being licensed as provided  
38 in this section.



1 (4) The duly constituted licensing authorities of any city, town,  
2 or political subdivision of this state shall grant licenses in forms  
3 prescribed by the director of licensing effective for not more than  
4 one year from the date of issue permitting the licensee to sell  
5 firearms within this state subject to the following conditions, for  
6 breach of any of which the license shall be forfeited and the  
7 licensee subject to punishment as provided in RCW 9.41.010 through  
8 9.41.810. A licensing authority shall forward a copy of each license  
9 granted to the department of licensing. The department of licensing  
10 shall notify the department of revenue of the name and address of  
11 each dealer licensed under this section.

12 (5)(a) A licensing authority shall, within thirty days after the  
13 filing of an application of any person for a dealer's license,  
14 determine whether to grant the license. However, if the applicant  
15 does not have a valid permanent Washington driver's license or  
16 Washington state identification card, or has not been a resident of  
17 the state for the previous consecutive ninety days, the licensing  
18 authority shall have up to sixty days to determine whether to issue a  
19 license. No person shall qualify for a license under this section  
20 without first receiving a federal firearms license and undergoing  
21 fingerprinting and a background check. In addition, no person  
22 ineligible to possess a firearm under RCW 9.41.040 or ineligible for  
23 a concealed pistol license under RCW 9.41.070 shall qualify for a  
24 dealer's license.

25 (b) A dealer shall require every employee who may sell a firearm  
26 in the course of his or her employment to undergo fingerprinting and  
27 a background check. An employee must be eligible to possess a  
28 firearm, and must not have been convicted of a crime that would make  
29 the person ineligible for a concealed pistol license, before being  
30 permitted to sell a firearm. Every employee shall comply with  
31 requirements concerning purchase applications and restrictions on  
32 delivery of pistols (~~(or semiautomatic assault rifles)~~) that are  
33 applicable to dealers.

34 (6)(a) Except as otherwise provided in (b) of this subsection,  
35 the business shall be carried on only in the building designated in  
36 the license. For the purpose of this section, advertising firearms  
37 for sale shall not be considered the carrying on of business.

38 (b) A dealer may conduct business temporarily at a location other  
39 than the building designated in the license, if the temporary  
40 location is within Washington state and is the location of a gun show

1 sponsored by a national, state, or local organization, or an  
2 affiliate of any such organization, devoted to the collection,  
3 competitive use, or other sporting use of firearms in the community.  
4 Nothing in this subsection (6)(b) authorizes a dealer to conduct  
5 business in or from a motorized or towed vehicle.

6 In conducting business temporarily at a location other than the  
7 building designated in the license, the dealer shall comply with all  
8 other requirements imposed on dealers by RCW 9.41.090(~~(7)~~) and  
9 ~~9.41.100((7)and this section)~~). The license of a dealer who fails to  
10 comply with the requirements of RCW (~~(9.41.080 and)~~) 9.41.090 and  
11 subsection (8) of this section while conducting business at a  
12 temporary location shall be revoked, and the dealer shall be  
13 permanently ineligible for a dealer's license.

14 (7) The license or a copy thereof, certified by the issuing  
15 authority, shall be displayed on the premises in the area where  
16 firearms are sold, or at the temporary location, where it can easily  
17 be read.

18 (8)(a) No pistol (~~(or semiautomatic assault rifle)~~) may be sold:  
19 (i) In violation of any provisions of RCW 9.41.010 through 9.41.810;  
20 nor (ii) may a pistol (~~(or semiautomatic assault rifle)~~) be sold  
21 under any circumstances unless the purchaser (~~(is personally known to~~  
22 ~~the dealer or shall present)~~) presents clear evidence of his or her  
23 identity.

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

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

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

1 person effecting the sale, each in the presence of the other, and  
2 shall contain the date of sale, the caliber, make, model and  
3 manufacturer's number of the weapon, the name, address, occupation,  
4 and place of birth of the purchaser, and a statement signed by the  
5 purchaser that he or she is not ineligible under state or federal law  
6 to possess a firearm.

7 ~~(b) One copy shall within six hours be sent by certified mail to~~  
8 ~~the chief of police of the municipality or the sheriff of the county~~  
9 ~~of which the purchaser is a resident, or the state pursuant to RCW~~  
10 ~~9.41.090; the duplicate the dealer shall within seven days send to~~  
11 ~~the director of licensing; the triplicate the dealer shall retain for~~  
12 ~~six years.~~

13 ~~(10))~~ Subsections (2) through ~~((9))~~ (8) of this section shall  
14 not apply to sales at wholesale.

15 ~~((11))~~ (10) The dealer's licenses authorized to be issued by  
16 this section are general licenses covering all sales by the licensee  
17 within the effective period of the licenses. The department shall  
18 provide a single application form for dealer's licenses and a single  
19 license form which shall indicate the type or types of licenses  
20 granted.

21 ~~((12))~~ (11) Except as provided in RCW 9.41.090, every city,  
22 town, and political subdivision of this state is prohibited from  
23 requiring the purchaser to secure a permit to purchase or from  
24 requiring the dealer to secure an individual permit for each sale.

25 **Sec. 13.** RCW 9.41.113 and 2019 c 3 s 11 (Initiative Measure No.  
26 1639) are each amended to read as follows:

27 (1) All firearm sales or transfers~~((7))~~ in whole ~~((or part))~~ in  
28 this state ~~((including without limitation a sale or transfer))~~ where  
29 ~~((either))~~ both the purchaser ~~((or))~~ and seller or transferee ~~((or))~~  
30 and transferor ~~((is))~~ are in Washington, shall be subject to  
31 background checks unless specifically exempted by state or federal  
32 law. The background check requirement applies to ~~((all))~~ sales or  
33 transfers including~~((, but not limited to,))~~ sales and transfers  
34 through a licensed dealer, at gun shows, ~~((online,))~~ and between  
35 unlicensed persons.

36 (2) No person shall sell or transfer a firearm unless:

37 (a) The person is a licensed dealer;

38 (b) The purchaser or transferee is a licensed dealer; or

39 (c) The requirements of subsection (3) of this section are met.

1 (3) Where neither party to a prospective firearms transaction is  
2 a licensed dealer, the parties to the transaction shall complete the  
3 sale or transfer (~~through a licensed dealer~~) as follows:

4 (a) (~~The seller or transferor shall deliver the firearm to a  
5 licensed dealer to process the sale or transfer as if it is selling  
6 or transferring the firearm from its inventory to the purchaser or  
7 transferee, except that the unlicensed seller or transferor may  
8 remove the firearm from the business premises of the licensed dealer  
9 while the background check is being conducted. If the seller or  
10 transferor removes the firearm from the business premises of the  
11 licensed dealer while the background check is being conducted, the  
12 purchaser or transferee and the seller or transferor shall return to  
13 the business premises of the licensed dealer and the seller or  
14 transferor shall again deliver the firearm to the licensed dealer  
15 prior to completing the sale or transfer.~~

16 (b) ~~Except as provided in (a) of this subsection, the licensed  
17 dealer shall comply with all requirements of federal and state law  
18 that would apply if the licensed dealer were selling or transferring  
19 the firearm from its inventory to the purchaser or transferee,  
20 including but not limited to conducting a background check on the  
21 prospective purchaser or transferee in accordance with federal and  
22 state law requirements, fulfilling all federal and state  
23 recordkeeping requirements, and complying with the specific  
24 requirements and restrictions on semiautomatic assault rifles in  
25 chapter 3, Laws of 2019.~~

26 (c) ~~The purchaser or transferee must complete, sign, and submit  
27 all federal, state, and local forms necessary to process the required  
28 background check to the licensed dealer conducting the background  
29 check.~~

30 (d) ~~If the results of the background check indicate that the  
31 purchaser or transferee is ineligible to possess a firearm, then the  
32 licensed dealer shall return the firearm to the seller or transferor.~~

33 (e) ~~The licensed dealer may charge a fee that reflects the fair  
34 market value of the administrative costs and efforts incurred by the  
35 licensed dealer for facilitating the sale or transfer of the  
36 firearm.)~~ The parties shall request a background check for the  
37 firearm sale or transfer through the Washington state patrol.

38 (b) Upon receipt of the request, the Washington state patrol  
39 shall, within twenty-four hours, conduct a background check of the  
40 firearm purchaser or transferee that includes a check of the

1 Washington state patrol electronic database and a check through the  
2 national instant criminal background check system, provided for by  
3 the Brady handgun violence prevention act (18 U.S.C. Sec. 921 et  
4 seq.).

5 (c) Upon receipt of notice from the Washington state patrol that  
6 the results of the background check indicate the purchaser or  
7 transferee is not ineligible to possess a firearm under state or  
8 federal law, the parties may complete the purchase or transfer of the  
9 firearm.

10 (4) This section does not apply to:

11 (a) A transfer between immediate family members, which for this  
12 subsection shall be limited to spouses, domestic partners, parents,  
13 parents-in-law, children, siblings, siblings-in-law, grandparents,  
14 grandchildren, nieces, nephews, first cousins, aunts, and uncles,  
15 that is a bona fide gift or loan;

16 (b) The sale or transfer of an antique firearm;

17 (c) A temporary transfer of possession of a firearm if such  
18 transfer is necessary to prevent imminent death or great bodily harm  
19 to the person to whom the firearm is transferred if:

20 (i) The temporary transfer only lasts as long as immediately  
21 necessary to prevent such imminent death or great bodily harm; and

22 (ii) The person to whom the firearm is transferred is not  
23 prohibited from possessing firearms under state or federal law;

24 (d) A temporary transfer of possession of a firearm if: (i) The  
25 transfer is intended to prevent suicide or self-inflicted great  
26 bodily harm; (ii) the transfer lasts only as long as reasonably  
27 necessary to prevent death or great bodily harm; and (iii) the  
28 firearm is not utilized by the transferee for any purpose for the  
29 duration of the temporary transfer;

30 (e) Any law enforcement or corrections agency and, to the extent  
31 the person is acting within the course and scope of his or her  
32 employment or official duties, any law enforcement or corrections  
33 officer, United States marshal, member of the armed forces of the  
34 United States or the national guard, or federal official;

35 (f) A federally licensed gunsmith who receives a firearm solely  
36 for the purposes of service or repair, or the return of the firearm  
37 to its owner by the federally licensed gunsmith;

38 (g) The temporary transfer of a firearm (i) between spouses or  
39 domestic partners; (ii) if the temporary transfer occurs, and the  
40 firearm is kept at all times, at an established shooting range

1 authorized by the governing body of the jurisdiction in which such  
2 range is located; (iii) if the temporary transfer occurs and the  
3 transferee's possession of the firearm is exclusively at a lawful  
4 organized competition involving the use of a firearm, or while  
5 participating in or practicing for a performance by an organized  
6 group that uses firearms as a part of the performance; (iv) to a  
7 person who is under eighteen years of age for lawful hunting,  
8 sporting, or educational purposes while under the direct supervision  
9 and control of a responsible adult who is not prohibited from  
10 possessing firearms; (v) under circumstances in which the transferee  
11 and the firearm remain in the presence of the transferor; or (vi)  
12 while hunting if the hunting is legal in all places where the person  
13 to whom the firearm is transferred possesses the firearm (~~and the~~  
14 ~~person to whom the firearm is transferred has completed all training~~  
15 ~~and holds all licenses or permits required for such hunting~~),  
16 provided that any temporary transfer allowed by this subsection is  
17 permitted only if the person to whom the firearm is transferred is  
18 not prohibited from possessing firearms under state or federal law;

19 (h) A person who (i) acquired a firearm other than a pistol by  
20 operation of law upon the death of the former owner of the firearm or  
21 (ii) acquired a pistol by operation of law upon the death of the  
22 former owner of the pistol within the preceding sixty days. At the  
23 end of the sixty-day period, the person must either have lawfully  
24 transferred the pistol or must have contacted the department of  
25 licensing to notify the department that he or she has possession of  
26 the pistol and intends to retain possession of the pistol, in  
27 compliance with all federal and state laws; or

28 (i) A sale or transfer when the purchaser or transferee is a  
29 licensed collector and the firearm being sold or transferred is a  
30 curio or relic.

31 **Sec. 14.** RCW 9.41.122 and 2015 c 1 s 6 are each amended to read  
32 as follows:

33 Residents of Washington may purchase rifles and shotguns in a  
34 state other than Washington (~~(: PROVIDED, That such residents conform~~  
35 ~~to the applicable provisions of the federal Gun Control Act of 1968,~~  
36 ~~Title IV, Pub. L. 90-351 as administered by the United States~~  
37 ~~secretary of the treasury: AND PROVIDED FURTHER, That such residents~~  
38 ~~are eligible to purchase or possess such weapons in Washington and in~~  
39 ~~the state in which such purchase is made: AND PROVIDED FURTHER, That~~

1 ~~when any part of the transaction takes place in Washington,~~  
2 ~~including, but not limited to, internet sales, such residents are~~  
3 ~~subject to the procedures and background checks required by this~~  
4 ~~chapter)) in accordance with federal law.~~

5 **Sec. 15.** RCW 9.41.124 and 2019 c 3 s 12 (Initiative Measure No.  
6 1639) are each amended to read as follows:

7 Residents of a state other than Washington may purchase rifles  
8 and shotguns(~~, except those firearms defined as semiautomatic~~  
9 ~~assault rifles, in Washington: PROVIDED, That such residents conform~~  
10 ~~to the applicable provisions of the federal Gun Control Act of 1968,~~  
11 ~~Title IV, Pub. L. 90-351 as administered by the United States~~  
12 ~~secretary of the treasury: AND PROVIDED FURTHER, That such residents~~  
13 ~~are eligible to purchase or possess such weapons in Washington and in~~  
14 ~~the state in which such persons reside: AND PROVIDED FURTHER, That~~  
15 ~~such residents are subject to the procedures and background checks~~  
16 ~~required by this chapter)) in accordance with federal law.~~

17 **Sec. 16.** RCW 9.41.171 and 2009 c 216 s 2 are each amended to  
18 read as follows:

19 It is a class C felony for any person who is not a citizen of the  
20 United States to carry or possess any firearm(~~, unless the person:~~  
21 ~~(1) Is a lawful permanent resident; (2) has obtained a valid alien~~  
22 ~~firearm license pursuant to RCW 9.41.173; or (3) meets the~~  
23 ~~requirements of RCW 9.41.175)).~~

24 **Sec. 17.** RCW 9.41.190 and 2018 c 7 s 3 are each amended to read  
25 as follows:

26 (1) Except as otherwise provided in this section, it is unlawful  
27 for any person to:

28 (a) Manufacture, own, buy, sell, loan, furnish, transport, or  
29 have in possession or under control, any machine gun(~~, bump-fire~~  
30 ~~stock, short-barreled shotgun, or short-barreled rifle));~~

31 (b) Manufacture, own, buy, sell, loan, furnish, transport, or  
32 have in possession or under control, any part designed and intended  
33 solely and exclusively for use in a machine gun, (~~bump-fire stock,~~  
34 ~~short-barreled shotgun, or short-barreled rifle,)) or in converting a  
35 weapon into a machine gun(~~, short-barreled shotgun, or short-~~  
36 ~~barreled rifle)); or~~~~

1 (c) Assemble or repair any machine gun(~~(, bump-fire stock, short-~~  
2 ~~barreled shotgun, or short-barreled rifle)~~).

3 (2) (~~It is not unlawful for a person to manufacture, own, buy,~~  
4 ~~sell, loan, furnish, transport, assemble, or repair, or have in~~  
5 ~~possession or under control, a short-barreled rifle, or any part~~  
6 ~~designed or intended solely and exclusively for use in a short-~~  
7 ~~barreled rifle or in converting a weapon into a short-barreled rifle,~~  
8 ~~if the person is in compliance with applicable federal law.~~

9 ~~(3)~~) Subsection (1) of this section shall not apply to:

10 (a) Any peace officer in the discharge of official duty or  
11 traveling to or from official duty, or to any officer or member of  
12 the armed forces of the United States or the state of Washington in  
13 the discharge of official duty or traveling to or from official duty;  
14 or

15 (b) A person, including an employee of such person if the  
16 employee has undergone fingerprinting and a background check, who or  
17 which is exempt from or licensed under federal law, and engaged in  
18 the production, manufacture, repair, or testing of machine guns(~~(,~~  
19 ~~bump-fire stocks, short-barreled shotguns, or short-barreled~~  
20 ~~rifles)~~):

21 (i) To be used or purchased by the armed forces of the United  
22 States;

23 (ii) To be used or purchased by federal, state, county, or  
24 municipal law enforcement agencies; or

25 (iii) For exportation in compliance with all applicable federal  
26 laws and regulations.

27 (~~(4)~~) (3) It shall be an affirmative defense to a prosecution  
28 brought under this section that the machine gun (~~(or short-barreled~~  
29 ~~shotgun)~~) was acquired prior to July 1, 1994, and is possessed in  
30 compliance with federal law.

31 (~~(5)~~) (4) Any person violating this section is guilty of a  
32 class C felony.

33 **Sec. 18.** RCW 9.41.220 and 2018 c 7 s 4 are each amended to read  
34 as follows:

35 All machine guns(~~(, bump-fire stocks, short-barreled shotguns, or~~  
36 ~~short-barreled rifles,~~) or any part designed and intended solely and  
37 exclusively for use in a machine gun, (~~(short-barreled shotgun, or~~  
38 ~~short-barreled rifle,~~) or in converting a weapon into a machine gun,  
39 (~~(short-barreled shotgun, or short-barreled rifle,~~) illegally held



1 or illegally possessed are hereby declared to be contraband, and it  
2 shall be the duty of all peace officers, and/or any officer or member  
3 of the armed forces of the United States or the state of Washington,  
4 to seize said machine gun, (~~(bump-fire stock, short-barreled shotgun,~~  
5 ~~or short-barreled rifle,)) or parts thereof, wherever and whenever  
6 found.~~

7 **Sec. 19.** RCW 9.41.225 and 2018 c 7 s 5 are each amended to read  
8 as follows:

9 (1) It is unlawful for a person, in the commission or furtherance  
10 of a felony other than a violation of RCW 9.41.190, to discharge a  
11 machine gun or to menace or threaten with a machine gun, another  
12 person.

13 ~~(2) ((It is unlawful for a person, in the commission or~~  
14 ~~furtherance of a felony other than a violation of RCW 9.41.190, to~~  
15 ~~discharge a firearm containing a bump-fire stock or to menace or~~  
16 ~~threaten another person with a firearm containing a bump-fire stock.~~

17 ~~(3))~~ A violation of this section shall be punished as a class A  
18 felony under chapter 9A.20 RCW.

19 **Sec. 20.** RCW 9.41.230 and 1994 sp.s. c 7 s 422 are each amended  
20 to read as follows:

21 (1) For conduct not amounting to a violation of chapter 9A.36  
22 RCW, any person who:

23 (a) Aims any loaded firearm(~~(, whether loaded or not,))~~ at or  
24 towards any human being;

25 (b) Willfully discharges any firearm, air gun, or other weapon,  
26 or throws any deadly missile in a public place(~~(, or in any place~~  
27 ~~where any person might be endangered thereby)).~~ A public place shall  
28 not include any location at which firearms are authorized to be  
29 lawfully discharged; or

30 (c) Except as provided in RCW 9.41.185, sets a so-called trap,  
31 spring pistol, rifle, or other dangerous weapon,  
32 although no injury results, is guilty of a gross misdemeanor  
33 punishable under chapter 9A.20 RCW.

34 (2) If an injury results from a violation of subsection (1) of  
35 this section, the person violating subsection (1) of this section  
36 shall be subject to the applicable provisions of chapters 9A.32 and  
37 9A.36 RCW.

1       **Sec. 21.** RCW 9.41.240 and 2019 c 3 s 13 (Initiative Measure No.  
2 1639) are each amended to read as follows:

3       (1) ~~A person ((under twenty-one years of age may not purchase a~~  
4 ~~pistol or semiautomatic assault rifle, and except as otherwise~~  
5 ~~provided in this chapter, no person may sell or transfer a~~  
6 ~~semiautomatic assault rifle to a person under twenty-one years of~~  
7 ~~age.~~

8       ~~(2) Unless an exception under RCW 9.41.042, 9.41.050, or 9.41.060~~  
9 ~~applies, a person at least eighteen years of age, but less than~~  
10 ~~twenty-one years of age, may possess a pistol only:~~

11       ~~(a) In the person's place of abode;~~

12       ~~(b) At the person's fixed place of business; or~~

13       ~~(c) On real property under his or her control.~~

14       ~~(3) Except in the places and situations identified in RCW~~  
15 ~~9.41.042 (1) through (9) and 9.41.060 (1) through (10), a person at~~  
16 ~~least eighteen years of age, but less than twenty-one years of age,~~  
17 ~~may possess a semiautomatic assault rifle only:~~

18       ~~(a) In the person's place of abode;~~

19       ~~(b) At the person's fixed place of business;~~

20       ~~(c) On real property under his or her control; or~~

21       ~~(d) For the specific purpose of (i) moving to a new place of~~  
22 ~~abode; (ii) traveling between the person's place of abode and real~~  
23 ~~property under his or her control; or (iii) selling or transferring~~  
24 ~~the firearm in accordance with the requirements of this chapter;~~  
25 ~~provided that in all of these situations the semiautomatic assault~~  
26 ~~rifle is unloaded and either in secure gun storage or secured with a~~  
27 ~~trigger lock or similar device that is designed to prevent the~~  
28 ~~unauthorized use or discharge of the firearm.)~~ over seventeen years  
29 of age may purchase a firearm in accordance with federal law.

30       (2) A person over seventeen years of age may possess a firearm in  
31 any place and circumstance where it is legal according to state law.

32       **Sec. 22.** RCW 9.41.280 and 2016 sp.s. c 29 s 403 are each amended  
33 to read as follows:

34       (1) It is unlawful for a person to carry onto, or to possess on,  
35 public or private elementary or secondary school premises, school-  
36 provided transportation, or areas of facilities while being used  
37 exclusively by public or private schools:

38       (a) ~~((Any firearm;~~

39       ~~(b))) Any ((other)) dangerous weapon as defined in RCW 9.41.250;~~

1       ~~((e))~~ (b) Any device commonly known as "nun-chu-ka sticks,"  
2 consisting of two or more lengths of wood, metal, plastic, or similar  
3 substance connected with wire, rope, or other means;

4       ~~((d))~~ (c) Any device, commonly known as "throwing stars," which  
5 are multipointed, metal objects designed to embed upon impact from  
6 any aspect;

7       ~~((e))~~ (d) Any air gun, including any air pistol or air rifle,  
8 designed to propel a BB, pellet, or other projectile by the discharge  
9 of compressed air, carbon dioxide, or other gas; or

10       ~~((f))~~ (e)(i) Any portable device manufactured to function as a  
11 weapon and which is commonly known as a stun gun, including a  
12 projectile stun gun which projects wired probes that are attached to  
13 the device that emit an electrical charge designed to administer to a  
14 person or an animal an electric shock, charge, or impulse; or

15       (ii) Any device, object, or instrument which is used or intended  
16 to be used as a weapon with the intent to injure a person by an  
17 electric shock, charge, or impulse.

18       (2) It is unlawful for any student to carry a firearm onto, or to  
19 possess a firearm on, public or private elementary or secondary  
20 school premises, school-provided transportation, or areas of  
21 facilities while being used exclusively by public or private schools.

22       (3) Any such person violating subsection (1) or (2) of this  
23 section is guilty of a gross misdemeanor. (~~If any person is~~  
24 convicted of a violation of subsection (1)(a) of this section, the  
25 person shall have his or her concealed pistol license, if any revoked  
26 for a period of three years. Anyone convicted under this subsection  
27 is prohibited from applying for a concealed pistol license for a  
28 period of three years. The court shall send notice of the revocation  
29 to the department of licensing, and the city, town, or county which  
30 issued the license.))

31       Any violation of subsection (1) or (2) of this section by  
32 elementary or secondary school students constitutes grounds for  
33 expulsion from the state's public schools in accordance with RCW  
34 28A.600.010. An appropriate school authority shall promptly notify  
35 law enforcement and the student's parent or guardian regarding any  
36 allegation or indication of such violation.

37       Upon the arrest of a ~~((person))~~ student at least twelve years of  
38 age and not more than twenty-one years of age for violating  
39 subsection ~~((1)(a))~~ (2) of this section, the person shall be  
40 detained or confined in a juvenile or adult facility for up to

1 seventy-two hours. The person shall ~~((not))~~ be released within  
2 ~~((the))~~ seventy-two hours ~~((until after the person has been examined~~  
3 ~~and evaluated by the designated crisis responder unless the court in~~  
4 ~~its discretion releases the person sooner after a determination~~  
5 ~~regarding probable cause or on probation bond or bail.~~

6 ~~Within twenty-four hours of the arrest, the arresting law~~  
7 ~~enforcement agency shall refer the person to the designated crisis~~  
8 ~~responder for examination and evaluation under chapter 71.05 or 71.34~~  
9 ~~RCW and inform a parent or guardian of the person of the arrest,~~  
10 ~~detention, and examination. The designated crisis responder shall~~  
11 ~~examine and evaluate the person subject to the provisions of chapter~~  
12 ~~71.05 or 71.34 RCW. The examination shall occur at the facility in~~  
13 ~~which the person is detained or confined. If the person has been~~  
14 ~~released on probation, bond, or bail, the examination shall occur~~  
15 ~~wherever is appropriate.~~

16 ~~Upon completion of any examination by the designated crisis~~  
17 ~~responder, the results of the examination shall be sent to the court,~~  
18 ~~and the court shall consider those results in making any~~  
19 ~~determination about the person.~~

20 ~~The designated crisis responder shall, to the extent permitted by~~  
21 ~~law, notify a parent or guardian of the person that an examination~~  
22 ~~and evaluation has taken place and the results of the examination.~~  
23 ~~Nothing in this subsection prohibits the delivery of additional,~~  
24 ~~appropriate mental health examinations to the person while the person~~  
25 ~~is detained or confined.~~

26 ~~If the designated crisis responder determines it is appropriate,~~  
27 ~~the designated crisis responder may refer the person to the local~~  
28 ~~behavioral health organization for follow-up services or the~~  
29 ~~department of social and health services or other community providers~~  
30 ~~for other services to the family and individual).~~

31 ~~((3))~~ (4) Subsection (1) of this section does not apply to:

32 (a) Any student or employee of a private military academy when on  
33 the property of the academy;

34 (b) Any person engaged in military, law enforcement, or school  
35 district security activities ~~((. However, a person who is not a~~  
36 ~~commissioned law enforcement officer and who provides school security~~  
37 ~~services under the direction of a school administrator may not~~  
38 ~~possess a device listed in subsection (1)(f) of this section unless~~  
39 ~~he or she has successfully completed training in the use of such~~

1 ~~devices that is equivalent to the training received by commissioned~~  
2 ~~law enforcement officers));~~

3 (c) Any person who is involved in a convention, showing,  
4 demonstration, lecture, or firearms safety course authorized by  
5 school authorities in which the firearms of collectors or instructors  
6 are handled or displayed;

7 (d) Any person while the person is participating in a firearms or  
8 air gun competition approved by the school or school district;

9 (e) Any person in possession of a pistol who has been issued a  
10 license under RCW 9.41.070, or is exempt from the licensing  
11 requirement by RCW 9.41.060, while picking up or dropping off a  
12 student;

13 (f) Any nonstudent at least eighteen years of age legally in  
14 possession of a firearm or dangerous weapon that is secured within an  
15 attended vehicle or concealed from view within a locked unattended  
16 vehicle while conducting legitimate business at the school;

17 (g) Any nonstudent at least eighteen years of age who is in  
18 lawful possession of an unloaded firearm, secured in a vehicle while  
19 conducting legitimate business at the school; or

20 (h) Any law enforcement officer of the federal, state, or local  
21 government agency.

22 ~~((4))~~ (5) Subsection (2) of this section does not apply to:

23 (a) Any student of a private military academy when on the  
24 property of the academy; or

25 (b) Any person while the person is participating in a firearms or  
26 air gun competition approved by the school or school district.

27 (6) Subsections (1) ~~((e))~~ (b) and ~~((d))~~ (c) of this section do  
28 not apply to any person who possesses nun-chu-ka sticks, throwing  
29 stars, or other dangerous weapons to be used in martial arts classes  
30 authorized to be conducted on the school premises.

31 ~~((5))~~ (7) Subsection (1) ~~((f))~~ (e)(i) of this section does not  
32 apply to any person who possesses a device listed in subsection (1)  
33 ~~((f))~~ (e)(i) of this section, if the device is possessed and used  
34 solely for the purpose approved by a school for use in a school  
35 authorized event, lecture, or activity conducted on the school  
36 premises.

37 ~~((6) Except as provided in subsection (3)(b), (c), (f), and (h)~~  
38 ~~of this section, firearms are not permitted in a public or private~~  
39 ~~school building.~~

~~(7) "GUN-FREE ZONE" signs shall be posted around school facilities giving warning of the prohibition of the possession of firearms on school grounds.) )~~

**Sec. 23.** RCW 9.94A.515 and 2018 c 236 s 721 and 2018 c 7 s 7 are each reenacted and amended to read as follows:

TABLE 2	
CRIMES INCLUDED WITHIN EACH	
SERIOUSNESS LEVEL	
XVI	Aggravated Murder 1 (RCW 10.95.020)
XV	Homicide by abuse (RCW 9A.32.055)
	Malicious explosion 1 (RCW 70.74.280(1))
	Murder 1 (RCW 9A.32.030)
XIV	Murder 2 (RCW 9A.32.050)
	Trafficking 1 (RCW 9A.40.100(1))
XIII	Malicious explosion 2 (RCW 70.74.280(2))
	Malicious placement of an explosive 1 (RCW 70.74.270(1))
XII	Assault 1 (RCW 9A.36.011)
	Assault of a Child 1 (RCW 9A.36.120)
	Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))
	Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)
	Rape 1 (RCW 9A.44.040)
	Rape of a Child 1 (RCW 9A.44.073)
	Trafficking 2 (RCW 9A.40.100(3))
XI	Manslaughter 1 (RCW 9A.32.060)
	Rape 2 (RCW 9A.44.050)
	Rape of a Child 2 (RCW 9A.44.076)
	Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)

1 Vehicular Homicide, by the operation of  
2 any vehicle in a reckless manner  
3 (RCW 46.61.520)

4 X Child Molestation 1 (RCW 9A.44.083)

5 Criminal Mistreatment 1 (RCW  
6 9A.42.020)

7 Indecent Liberties (with forcible  
8 compulsion) (RCW  
9 9A.44.100(1)(a))

10 Kidnapping 1 (RCW 9A.40.020)

11 Leading Organized Crime (RCW  
12 9A.82.060(1)(a))

13 Malicious explosion 3 (RCW  
14 70.74.280(3))

15 Sexually Violent Predator Escape (RCW  
16 9A.76.115)

17 IX Abandonment of Dependent Person 1  
18 (RCW 9A.42.060)

19 Assault of a Child 2 (RCW 9A.36.130)

20 Explosive devices prohibited (RCW  
21 70.74.180)

22 Hit and Run—Death (RCW  
23 46.52.020(4)(a))

24 Homicide by Watercraft, by being under  
25 the influence of intoxicating liquor  
26 or any drug (RCW 79A.60.050)

27 Inciting Criminal Profiteering (RCW  
28 9A.82.060(1)(b))

29 Malicious placement of an explosive 2  
30 (RCW 70.74.270(2))

31 Robbery 1 (RCW 9A.56.200)

32 Sexual Exploitation (RCW 9.68A.040)

33 VIII Arson 1 (RCW 9A.48.020)

34 Commercial Sexual Abuse of a Minor  
35 (RCW 9.68A.100)

1 Homicide by Watercraft, by the  
2 operation of any vessel in a reckless  
3 manner (RCW 79A.60.050)  
4 Manslaughter 2 (RCW 9A.32.070)  
5 Promoting Prostitution 1 (RCW  
6 9A.88.070)  
7 Theft of Ammonia (RCW 69.55.010)  
8 VII Air bag diagnostic systems (causing  
9 bodily injury or death) (RCW  
10 46.37.660(2)(b))  
11 Air bag replacement requirements  
12 (causing bodily injury or death)  
13 (RCW 46.37.660(1)(b))  
14 Burglary 1 (RCW 9A.52.020)  
15 Child Molestation 2 (RCW 9A.44.086)  
16 Civil Disorder Training (RCW  
17 9A.48.120)  
18 Dealing in depictions of minor engaged  
19 in sexually explicit conduct 1  
20 (RCW 9.68A.050(1))  
21 Drive-by Shooting (RCW 9A.36.045)  
22 Homicide by Watercraft, by disregard  
23 for the safety of others (RCW  
24 79A.60.050)  
25 Indecent Liberties (without forcible  
26 compulsion) (RCW 9A.44.100(1)  
27 (b) and (c))  
28 Introducing Contraband 1 (RCW  
29 9A.76.140)  
30 Malicious placement of an explosive 3  
31 (RCW 70.74.270(3))  
32 Manufacture or import counterfeit,  
33 nonfunctional, damaged, or  
34 previously deployed air bag  
35 (causing bodily injury or death)  
36 (RCW 46.37.650(1)(b))



1 Negligently Causing Death By Use of a  
2 Signal Preemption Device (RCW  
3 46.37.675)  
4 Sell, install, or reinstall counterfeit,  
5 nonfunctional, damaged, or  
6 previously deployed airbag (RCW  
7 46.37.650(2)(b))  
8 Sending, bringing into state depictions  
9 of minor engaged in sexually  
10 explicit conduct 1 (RCW  
11 9.68A.060(1))  
12 Unlawful Possession of a Firearm in the  
13 first degree (RCW 9.41.040(1))  
14 Use of a Machine Gun (~~or Bump-fire~~  
15 ~~Stock~~) in Commission of a Felony  
16 (RCW 9.41.225)  
17 Vehicular Homicide, by disregard for  
18 the safety of others (RCW  
19 46.61.520)  
20 VI Bail Jumping with Murder 1 (RCW  
21 9A.76.170(3)(a))  
22 Bribery (RCW 9A.68.010)  
23 Incest 1 (RCW 9A.64.020(1))  
24 Intimidating a Judge (RCW 9A.72.160)  
25 Intimidating a Juror/Witness (RCW  
26 9A.72.110, 9A.72.130)  
27 Malicious placement of an imitation  
28 device 2 (RCW 70.74.272(1)(b))  
29 Possession of Depictions of a Minor  
30 Engaged in Sexually Explicit  
31 Conduct 1 (RCW 9.68A.070(1))  
32 Rape of a Child 3 (RCW 9A.44.079)  
33 Theft of a Firearm (RCW 9A.56.300)  
34 Theft from a Vulnerable Adult 1 (RCW  
35 9A.56.400(1))

1 Unlawful Storage of Ammonia (RCW  
2 69.55.020)

3 V Abandonment of Dependent Person 2  
4 (RCW 9A.42.070)

5 Advancing money or property for  
6 extortionate extension of credit  
7 (RCW 9A.82.030)

8 Air bag diagnostic systems (RCW  
9 46.37.660(2)(c))

10 Air bag replacement requirements  
11 (RCW 46.37.660(1)(c))

12 Bail Jumping with class A Felony  
13 (RCW 9A.76.170(3)(b))

14 Child Molestation 3 (RCW 9A.44.089)

15 Criminal Mistreatment 2 (RCW  
16 9A.42.030)

17 Custodial Sexual Misconduct 1 (RCW  
18 9A.44.160)

19 Dealing in Depictions of Minor  
20 Engaged in Sexually Explicit  
21 Conduct 2 (RCW 9.68A.050(2))

22 Domestic Violence Court Order  
23 Violation (RCW 10.99.040,  
24 10.99.050, 26.09.300, 26.10.220,  
25 ~~((26.26.138))~~ 26.26B.050,  
26 26.50.110, 26.52.070, or 74.34.145)

27 Extortion 1 (RCW 9A.56.120)

28 Extortionate Extension of Credit (RCW  
29 9A.82.020)

30 Extortionate Means to Collect  
31 Extensions of Credit (RCW  
32 9A.82.040)

33 Incest 2 (RCW 9A.64.020(2))

34 Kidnapping 2 (RCW 9A.40.030)

1 Manufacture or import counterfeit,  
2 nonfunctional, damaged, or  
3 previously deployed air bag (RCW  
4 46.37.650(1)(c))  
5 Perjury 1 (RCW 9A.72.020)  
6 Persistent prison misbehavior (RCW  
7 9.94.070)  
8 Possession of a Stolen Firearm (RCW  
9 9A.56.310)  
10 Rape 3 (RCW 9A.44.060)  
11 Rendering Criminal Assistance 1 (RCW  
12 9A.76.070)  
13 Sell, install, or reinstall counterfeit,  
14 nonfunctional, damaged, or  
15 previously deployed airbag (RCW  
16 46.37.650(2)(c))  
17 Sending, Bringing into State Depictions  
18 of Minor Engaged in Sexually  
19 Explicit Conduct 2 (RCW  
20 9.68A.060(2))  
21 Sexual Misconduct with a Minor 1  
22 (RCW 9A.44.093)  
23 Sexually Violating Human Remains  
24 (RCW 9A.44.105)  
25 Stalking (RCW 9A.46.110)  
26 Taking Motor Vehicle Without  
27 Permission 1 (RCW 9A.56.070)  
28 IV Arson 2 (RCW 9A.48.030)  
29 Assault 2 (RCW 9A.36.021)  
30 Assault 3 (of a Peace Officer with a  
31 Projectile Stun Gun) (RCW  
32 9A.36.031(1)(h))  
33 Assault 4 (third domestic violence  
34 offense) (RCW 9A.36.041(3))  
35 Assault by Watercraft (RCW  
36 79A.60.060)

1 Bribing a Witness/Bribe Received by  
2 Witness (RCW 9A.72.090,  
3 9A.72.100)  
4 Cheating 1 (RCW 9.46.1961)  
5 Commercial Bribery (RCW 9A.68.060)  
6 Counterfeiting (RCW 9.16.035(4))  
7 Driving While Under the Influence  
8 (RCW 46.61.502(6))  
9 Endangerment with a Controlled  
10 Substance (RCW 9A.42.100)  
11 Escape 1 (RCW 9A.76.110)  
12 Hit and Run—Injury (RCW  
13 46.52.020(4)(b))  
14 Hit and Run with Vessel—Injury  
15 Accident (RCW 79A.60.200(3))  
16 Identity Theft 1 (RCW 9.35.020(2))  
17 Indecent Exposure to Person Under Age  
18 Fourteen (subsequent sex offense)  
19 (RCW 9A.88.010)  
20 Influencing Outcome of Sporting Event  
21 (RCW 9A.82.070)  
22 Malicious Harassment (RCW  
23 9A.36.080)  
24 Physical Control of a Vehicle While  
25 Under the Influence (RCW  
26 46.61.504(6))  
27 Possession of Depictions of a Minor  
28 Engaged in Sexually Explicit  
29 Conduct 2 (RCW 9.68A.070(2))  
30 Residential Burglary (RCW 9A.52.025)  
31 Robbery 2 (RCW 9A.56.210)  
32 Theft of Livestock 1 (RCW 9A.56.080)  
33 Threats to Bomb (RCW 9.61.160)  
34 Trafficking in Stolen Property 1 (RCW  
35 9A.82.050)

1 Unlawful factoring of a credit card or  
2 payment card transaction (RCW  
3 9A.56.290(4)(b))  
4 Unlawful transaction of health coverage  
5 as a health care service contractor  
6 (RCW 48.44.016(3))  
7 Unlawful transaction of health coverage  
8 as a health maintenance  
9 organization (RCW 48.46.033(3))  
10 Unlawful transaction of insurance  
11 business (RCW 48.15.023(3))  
12 Unlicensed practice as an insurance  
13 professional (RCW 48.17.063(2))  
14 Use of Proceeds of Criminal  
15 Profiteering (RCW 9A.82.080 (1)  
16 and (2))  
17 Vehicle Prowling 2 (third or subsequent  
18 offense) (RCW 9A.52.100(3))  
19 Vehicular Assault, by being under the  
20 influence of intoxicating liquor or  
21 any drug, or by the operation or  
22 driving of a vehicle in a reckless  
23 manner (RCW 46.61.522)  
24 Viewing of Depictions of a Minor  
25 Engaged in Sexually Explicit  
26 Conduct 1 (RCW 9.68A.075(1))  
27 Willful Failure to Return from Furlough  
28 (RCW 72.66.060)  
29 III Animal Cruelty 1 (Sexual Conduct or  
30 Contact) (RCW 16.52.205(3))  
31 Assault 3 (Except Assault 3 of a Peace  
32 Officer With a Projectile Stun Gun)  
33 (RCW 9A.36.031 except subsection  
34 (1)(h))  
35 Assault of a Child 3 (RCW 9A.36.140)  
36 Bail Jumping with class B or C Felony  
37 (RCW 9A.76.170(3)(c))

1 Burglary 2 (RCW 9A.52.030)  
2 Communication with a Minor for  
3 Immoral Purposes (RCW  
4 9.68A.090)  
5 Criminal Gang Intimidation (RCW  
6 9A.46.120)  
7 Custodial Assault (RCW 9A.36.100)  
8 Cyberstalking (subsequent conviction or  
9 threat of death) (RCW 9.61.260(3))  
10 Escape 2 (RCW 9A.76.120)  
11 Extortion 2 (RCW 9A.56.130)  
12 Harassment (RCW 9A.46.020)  
13 Intimidating a Public Servant (RCW  
14 9A.76.180)  
15 Introducing Contraband 2 (RCW  
16 9A.76.150)  
17 Malicious Injury to Railroad Property  
18 (RCW 81.60.070)  
19 Mortgage Fraud (RCW 19.144.080)  
20 Negligently Causing Substantial Bodily  
21 Harm By Use of a Signal  
22 Preemption Device (RCW  
23 46.37.674)  
24 Organized Retail Theft 1 (RCW  
25 9A.56.350(2))  
26 Perjury 2 (RCW 9A.72.030)  
27 Possession of Incendiary Device (RCW  
28 9.40.120)  
29 Possession of Machine Gun(~~(; Bump-~~  
30 ~~fire Stock, or Short-Barreled~~  
31 ~~Shotgun or Rifle)) (RCW 9.41.190)  
32 Promoting Prostitution 2 (RCW  
33 9A.88.080)  
34 Retail Theft with Special Circumstances  
35 1 (RCW 9A.56.360(2))~~

1 Securities Act violation (RCW  
2 21.20.400)  
3 Tampering with a Witness (RCW  
4 9A.72.120)  
5 Telephone Harassment (subsequent  
6 conviction or threat of death) (RCW  
7 9.61.230(2))  
8 Theft of Livestock 2 (RCW 9A.56.083)  
9 Theft with the Intent to Resell 1 (RCW  
10 9A.56.340(2))  
11 Trafficking in Stolen Property 2 (RCW  
12 9A.82.055)  
13 Unlawful Hunting of Big Game 1 (RCW  
14 77.15.410(3)(b))  
15 Unlawful Imprisonment (RCW  
16 9A.40.040)  
17 Unlawful Misbranding of ~~((Food))~~ Fish  
18 or Shellfish 1 (RCW 77.140.060(3))  
19 Unlawful possession of firearm in the  
20 second degree (RCW 9.41.040(2))  
21 Unlawful Taking of Endangered Fish or  
22 Wildlife 1 (RCW 77.15.120(3)(b))  
23 Unlawful Trafficking in Fish, Shellfish,  
24 or Wildlife 1 (RCW  
25 77.15.260(3)(b))  
26 Unlawful Use of a Nondesignated  
27 Vessel (RCW 77.15.530(4))  
28 Vehicular Assault, by the operation or  
29 driving of a vehicle with disregard  
30 for the safety of others (RCW  
31 46.61.522)  
32 Willful Failure to Return from Work  
33 Release (RCW 72.65.070)  
34 II Commercial Fishing Without a License  
35 1 (RCW 77.15.500(3)(b))  
36 Computer Trespass 1 (RCW 9A.90.040)

1 Counterfeiting (RCW 9.16.035(3))  
2 Electronic Data Service Interference  
3 (RCW 9A.90.060)  
4 Electronic Data Tampering 1 (RCW  
5 9A.90.080)  
6 Electronic Data Theft (RCW 9A.90.100)  
7 Engaging in Fish Dealing Activity  
8 Unlicensed 1 (RCW 77.15.620(3))  
9 Escape from Community Custody  
10 (RCW 72.09.310)  
11 Failure to Register as a Sex Offender  
12 (second or subsequent offense)  
13 (RCW 9A.44.130 prior to June 10,  
14 2010, and RCW 9A.44.132)  
15 Health Care False Claims (RCW  
16 48.80.030)  
17 Identity Theft 2 (RCW 9.35.020(3))  
18 Improperly Obtaining Financial  
19 Information (RCW 9.35.010)  
20 Malicious Mischief 1 (RCW 9A.48.070)  
21 Organized Retail Theft 2 (RCW  
22 9A.56.350(3))  
23 Possession of Stolen Property 1 (RCW  
24 9A.56.150)  
25 Possession of a Stolen Vehicle (RCW  
26 9A.56.068)  
27 Retail Theft with Special Circumstances  
28 2 (RCW 9A.56.360(3))  
29 Scrap Processing, Recycling, or  
30 Supplying Without a License  
31 (second or subsequent offense)  
32 (RCW 19.290.100)  
33 Theft 1 (RCW 9A.56.030)  
34 Theft of a Motor Vehicle (RCW  
35 9A.56.065)



1 Theft of Rental, Leased, Lease-  
2 purchased, or Loaned Property  
3 (valued at five thousand dollars or  
4 more) (RCW 9A.56.096(5)(a))  
5 Theft with the Intent to Resell 2 (RCW  
6 9A.56.340(3))  
7 Trafficking in Insurance Claims (RCW  
8 48.30A.015)  
9 Unlawful factoring of a credit card or  
10 payment card transaction (RCW  
11 9A.56.290(4)(a))  
12 Unlawful Participation of Non-Indians  
13 in Indian Fishery (RCW  
14 77.15.570(2))  
15 Unlawful Practice of Law (RCW  
16 2.48.180)  
17 Unlawful Purchase or Use of a License  
18 (RCW 77.15.650(3)(b))  
19 Unlawful Trafficking in Fish, Shellfish,  
20 or Wildlife 2 (RCW  
21 77.15.260(3)(a))  
22 Unlicensed Practice of a Profession or  
23 Business (RCW 18.130.190(7))  
24 Voyeurism 1 (RCW 9A.44.115)  
25 I Attempting to Elude a Pursuing Police  
26 Vehicle (RCW 46.61.024)  
27 False Verification for Welfare (RCW  
28 74.08.055)  
29 Forgery (RCW 9A.60.020)  
30 Fraudulent Creation or Revocation of a  
31 Mental Health Advance Directive  
32 (RCW 9A.60.060)  
33 Malicious Mischief 2 (RCW 9A.48.080)  
34 Mineral Trespass (RCW 78.44.330)  
35 Possession of Stolen Property 2 (RCW  
36 9A.56.160)

1 Reckless Burning 1 (RCW 9A.48.040)  
2 Spotlighting Big Game 1 (RCW  
3 77.15.450(3)(b))  
4 Suspension of Department Privileges 1  
5 (RCW 77.15.670(3)(b))  
6 Taking Motor Vehicle Without  
7 Permission 2 (RCW 9A.56.075)  
8 Theft 2 (RCW 9A.56.040)  
9 Theft from a Vulnerable Adult 2 (RCW  
10 9A.56.400(2))  
11 Theft of Rental, Leased, Lease-  
12 purchased, or Loaned Property  
13 (valued at seven hundred fifty  
14 dollars or more but less than five  
15 thousand dollars) (RCW  
16 9A.56.096(5)(b))  
17 Transaction of insurance business  
18 beyond the scope of licensure  
19 (RCW 48.17.063)  
20 Unlawful Fish and Shellfish Catch  
21 Accounting (RCW 77.15.630(3)(b))  
22 Unlawful Issuance of Checks or Drafts  
23 (RCW 9A.56.060)  
24 Unlawful Possession of Fictitious  
25 Identification (RCW 9A.56.320)  
26 Unlawful Possession of Instruments of  
27 Financial Fraud (RCW 9A.56.320)  
28 Unlawful Possession of Payment  
29 Instruments (RCW 9A.56.320)  
30 Unlawful Possession of a Personal  
31 Identification Device (RCW  
32 9A.56.320)  
33 Unlawful Production of Payment  
34 Instruments (RCW 9A.56.320)

1 Unlawful Releasing, Planting,  
2 Possessing, or Placing Deleterious  
3 Exotic Wildlife (RCW  
4 77.15.250(2)(b))  
5 Unlawful Trafficking in Food Stamps  
6 (RCW 9.91.142)  
7 Unlawful Use of Food Stamps (RCW  
8 9.91.144)  
9 Unlawful Use of Net to Take Fish 1  
10 (RCW 77.15.580(3)(b))  
11 Unlawful Use of Prohibited Aquatic  
12 Animal Species (RCW  
13 77.15.253(3))  
14 Vehicle Prowl 1 (RCW 9A.52.095)  
15 Violating Commercial Fishing Area or  
16 Time 1 (RCW 77.15.550(3)(b))

17 NEW SECTION. **Sec. 24.** The following acts or parts of acts are  
18 each repealed:

19 (1) RCW 9.41.065 (Correctional employees—Effect of exemption from  
20 firearms restrictions—Liability limited) and 2011 c 221 s 3;

21 (2) RCW 9.41.080 (Delivery to ineligible persons) and 2018 c 145  
22 s 3, 1994 sp.s. c 7 s 409, & 1935 c 172 s 8;

23 (3) RCW 9.41.094 (Waiver of confidentiality) and 2019 c 3 s 7  
24 (Initiative Measure No. 1639, approved November 6, 2018), 2018 c 201  
25 s 6004, & 1994 sp.s. c 7 s 411;

26 (4) RCW 9.41.097 (Supplying information on the eligibility of  
27 persons to possess firearms, purchase a pistol or semiautomatic  
28 assault rifle, or be issued a concealed pistol license) and 2019 c 3  
29 s 8 (Initiative Measure No. 1639, approved November 6, 2018), 2018 c  
30 201 s 6005, 2009 c 216 s 6, 2005 c 274 s 202, 1994 sp.s. c 7 s 412, &  
31 1983 c 232 s 5;

32 (5) RCW 9.41.0975 (Officials and agencies—Immunity, writ of  
33 mandamus) and 2019 c 3 s 9 (Initiative Measure No. 1639, approved  
34 November 6, 2018), 2009 c 216 s 7, 1996 c 295 s 9, & 1994 sp.s. c 7 s  
35 413;

36 (6) RCW 9.41.114 (Firearm sales or transfers—Denial of  
37 application report—Dealer's duties) and 2017 c 261 s 1;

1 (7) RCW 9.41.129 (Recordkeeping requirements) and 2019 c 3 s 14  
2 (Initiative Measure No. 1639, approved November 6, 2018), 2005 c 274  
3 s 203, & 1994 sp.s. c 7 s 417;

4 (8) RCW 9.41.137 (Department of licensing, authority to adopt  
5 rules—Reporting of violations—Authority to revoke licenses) and 2015  
6 c 1 s 8 (Initiative Measure No. 594, approved November 4, 2014);

7 (9) RCW 9.41.139 (Department of licensing—Eligibility to possess  
8 firearms) and 2019 c 3 s 15 (Initiative Measure No. 1639, approved  
9 November 6, 2018);

10 (10) RCW 9.41.173 (Alien possession of firearms—Alien firearm  
11 license—Political subdivisions may not modify requirements—Penalty  
12 for false statement) and 2018 c 201 s 6006, 2017 c 174 s 2, & 2009 c  
13 216 s 3;

14 (11) RCW 9.41.175 (Alien possession of firearms—Possession  
15 without license—Conditions) and 2009 c 216 s 4;

16 (12) RCW 9.41.350 (Voluntary waiver of firearm rights—Procedure—  
17 Penalty—Exemption from public disclosure) and 2018 c 145 s 1;

18 (13) RCW 9.41.352 (Voluntary waiver of firearm rights—Form—  
19 Availability) and 2018 c 145 s 2;

20 (14) RCW 9.41.360 (Unsafe storage of a firearm) and 2019 c 3 s 5  
21 (Initiative Measure No. 1639, approved November 6, 2018);

22 (15) RCW 9.41.365 (Firearm security and storage—Requirements for  
23 dealers) and 2019 c 3 s 6 (Initiative Measure No. 1639, approved  
24 November 6, 2018);

25 (16) RCW 36.28A.400 (Denied firearm transaction reporting system—  
26 Purge of denial records upon subsequent approval—Public disclosure  
27 exemption—Destruction of information) and 2017 c 261 s 2;

28 (17) RCW 36.28A.405 (Denied firearm transaction information—  
29 Annual report) and 2017 c 261 s 4;

30 (18) RCW 36.28A.410 (Statewide automated protected person  
31 notification system—Notification requirements—Immunity from civil  
32 liability—Public disclosure exemption) and 2017 c 261 s 5;

33 (19) RCW 36.28A.420 (Illegal firearm transaction investigation  
34 grant program—Requirements—Public disclosure exemption) and 2017 c  
35 261 s 6; and

36 (20) RCW 43.43.823 (Incorporation of denied firearm transaction  
37 records—Removal of record, when required—Notice—Rules) and 2018 c  
38 22 s 11 & 2017 c 261 s 3.

1        NEW SECTION.    **Sec. 25.**    If any provision of this act or its  
2 application to any person or circumstance is held invalid, the  
3 remainder of the act or the application of the provision to other  
4 persons or circumstances is not affected.

5        NEW SECTION.    **Sec. 26.**    This act is necessary for the immediate  
6 preservation of the public peace, health, or safety, or support of  
7 the state government and its existing public institutions, and takes  
8 effect July 1, 2019.

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