
HOUSE BILL 2555

State of Washington

66th Legislature

2020 Regular Session

By Representative Goodman

Read first time 01/15/20. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to background check requirements for firearms
2 classified as other under federal firearms laws; adding a new section
3 to chapter 9.41 RCW; prescribing penalties; and providing a
4 contingent expiration date.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 9.41 RCW
7 to read as follows:

8 (1) For the purposes of this section, "other firearm" means a
9 federally regulated firearm frame or a federally regulated firearm
10 receiver.

11 (2) A dealer may not deliver an other firearm to a purchaser or
12 transferee until:

13 (a) The dealer is notified in writing by the local law
14 enforcement agency of the jurisdiction in which the purchaser or
15 transferee resides, or by the state pursuant to RCW 9.41.090(3)(b),
16 that the purchaser or transferee is eligible to possess a firearm
17 under state and federal law and that the application is approved; or

18 (b) The requirements or time periods in RCW 9.41.092(1) have been
19 satisfied.

20 (3) In determining whether the purchaser is eligible to possess a
21 firearm, the local law enforcement agency shall check with the

1 national instant criminal background check system, provided for by
2 the Brady handgun violence prevention act (18 U.S.C. Sec. 921 et
3 seq.), the Washington state patrol electronic database, the health
4 care authority electronic database, and with other agencies or
5 resources as appropriate to determine whether the applicant is
6 ineligible to possess a firearm under state or federal law.

7 (4) A law enforcement agency may hold the delivery of an other
8 firearm to an applicant under the circumstances provided in RCW
9 9.41.090 (4) and (5).

10 (5) When processing an application for the purchase or transfer
11 of an other firearm, a dealer shall comply with the application,
12 recordkeeping, and other requirements of this chapter that apply to
13 the sale or transfer of a pistol.

14 (6) A signed application for the purchase or transfer of an other
15 firearm shall constitute a waiver of confidentiality and written
16 request that the health care authority, mental health institutions,
17 and other health care facilities release, to an inquiring court, law
18 enforcement agency, or the state, information relevant to the
19 applicant's eligibility to possess a firearm. Any mental health
20 information received by a court, law enforcement agency, or the state
21 pursuant to this section shall not be disclosed except as provided in
22 RCW 42.56.240(4).

23 (7) The department of licensing shall keep copies or records of
24 applications for the purchase or transfer of other firearms and
25 copies or records of other firearm transfers in the same manner as
26 pistol and semiautomatic assault rifle application and transfer
27 records under RCW 9.41.129.

28 (8) A person who knowingly makes a false statement regarding
29 identity or eligibility requirements on the application to purchase
30 an other firearm is guilty of false swearing under RCW 9A.72.040.

31 (9) This section does not apply to sales of other firearms to
32 licensed dealers.

33 NEW SECTION. **Sec. 2.** (1) Section 1 of this act expires six
34 months after the date on which the Washington state patrol determines
35 that a single point of contact firearm background check system, for
36 purposes of the federal Brady handgun violence prevention act (18
37 U.S.C. Sec. 921 et seq.), is operational in the state.

38 (2) If section 1 of this act expires pursuant to subsection (1)
39 of this section, the Washington state patrol must provide written

1 notice of the expiration to the chief clerk of the house of
2 representatives, the secretary of the senate, the office of the code
3 reviser, and others as deemed appropriate by the Washington state
4 patrol.

--- **END** ---