



A Proclamation by the Governor

WHEREAS, under the provisions of Article II, Section 1 of the Constitution of the State of Washington, there was submitted to the electorate of the State of Washington for their approval or rejection at the state general election held on the 6th day of November, 2018, an initiative to the people, identified as Initiative Measure No. 1639 and entitled:

Initiative Measure No. 1639 concerns firearms.

This measure would require increased background checks, training, age limitations, and waiting periods for sales or delivery of semiautomatic assault rifles; criminalize noncompliant storage upon unauthorized use; allow fees; and enact other provisions.

WHEREAS, Kim Wyman, as Secretary of State, has on the 4th day of December, 2018, canvassed the votes cast on this measure at the state general election and certified that 1,839,475 votes were cast in favor of Initiative Measure No. 1639 and 1,259,681 votes were cast against Initiative Measure No. 1639; and

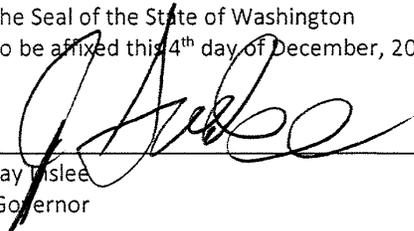
WHEREAS, as appears from this certification, a majority of the votes cast on this proposition at the state general election were in favor of its adoption;

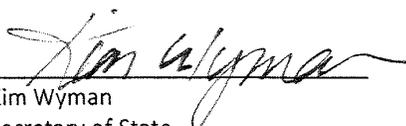
NOW, THEREFORE, I, Jay Inslee, Governor of the State of Washington, do hereby proclaim that the proposed law as set forth in Initiative Measure No. 1639 was approved by the voters of the State of Washington.



ATTEST:

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed this 4th day of December, 2018.


Jay Inslee
Governor


Kim Wyman
Secretary of State

INITIATIVE 1639

To the People

Chapter 3, Laws of 2019

FIREARMS

EFFECTIVE DATE: July 1, 2019 — Except for section 13, which becomes
effective January 1, 2019

Approved by the
People of the State of Washington
in the General Election on
November 6, 2018

ORIGINALLY FILED

May 2, 2018

Secretary of State

1 AN ACT Relating to increasing public safety by implementing
2 firearm safety measures, including requiring enhanced background
3 checks, waiting periods, and increased age requirements for
4 semiautomatic assault rifles and secure gun storage for all firearms;
5 amending RCW 9.41.090, 9.41.092, 9.41.094, 9.41.097, 9.41.0975,
6 9.41.110, 9.41.113, 9.41.124, 9.41.240, 9.41.129, and 9.41.010;
7 adding new sections to chapter 9.41 RCW; creating new sections;
8 prescribing penalties; and providing effective dates.

9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

10 NEW SECTION. **Sec. 1.** INTENT. Gun violence is far too common in
11 Washington and the United States. In particular, shootings involving
12 the use of semiautomatic assault rifles have resulted in hundreds of
13 lives lost, devastating injuries, and lasting psychological impacts
14 on survivors, their families, and communities. Semiautomatic assault
15 rifles are specifically designed to kill quickly and efficiently and
16 have been used in some of the country's deadliest mass shootings,
17 including in Newtown, Connecticut; Las Vegas, Nevada; and Parkland
18 and Orlando, Florida, among others. Semiautomatic assault rifles have
19 also been used in deadly shootings in Washington, including in
20 Mukilteo and Tacoma.

1 The impacts of gun violence by assault weapons fall heavily on
2 children and teenagers. According to one analysis, more than two
3 hundred eight thousand students attending at least two hundred twelve
4 schools have experienced a shooting on campus since the Columbine
5 mass shooting in 1999. Active shooter drills are normal for a
6 generation of American schoolchildren, instilling at a young age the
7 sad and unnecessary realization that a mass shooting can happen in
8 any community, in any school, at any time.

9 Enough is enough. The people find and declare that it is crucial
10 and urgent to pass laws to increase public safety and reduce gun
11 violence.

12 Implementing an enhanced background check system for
13 semiautomatic assault rifles that is as strong as the one required to
14 purchase a handgun and requiring safety training and a waiting period
15 will help ensure that we keep these weapons out of dangerous hands.
16 Further, federal law prohibits the sale of pistols to individuals
17 under the age of twenty-one and at least a dozen states further
18 restrict the ownership or possession of firearms by individuals under
19 the age of twenty-one. This makes sense, as studies show that
20 eighteen to twenty year olds commit a disproportionate number of
21 firearm homicides in the United States and research indicates that
22 the brain does not fully mature until a later age. Raising the
23 minimum age to purchase semiautomatic assault rifles to twenty-one is
24 a commonsense step the people wish to take to increase public safety.

25 Finally, firearms taken from the home by children or other
26 persons prohibited from possessing firearms have been at the heart of
27 several tragic gun violence incidents. One study shows that over
28 eighty-five percent of school shooters obtained the firearm at their
29 home or from a friend or relative. Another study found that more than
30 seventy-five percent of firearms used in youth suicide attempts and
31 unintentional injuries were stored in the residence of the victim, a
32 relative, or a friend. Secure gun storage requirements for all
33 firearms will increase public safety by helping ensure that children
34 and other prohibited persons do not inappropriately gain access to
35 firearms, and notice requirements will make the potential dangers of
36 firearms clear to purchasers.

37 Therefore, to increase public safety for all Washingtonians, in
38 particular our children, this measure would, among other things:
39 Create an enhanced background check system applicable to
40 semiautomatic assault rifles similar to what is required for

1 handguns, require that individuals complete a firearm safety training
2 course and be at least twenty-one years of age to purchase or possess
3 such weapons, enact a waiting period for the purchase of such
4 weapons, and establish standards for the responsible storage of all
5 firearms.

6 NEW SECTION. **Sec. 2.** SHORT TITLE. This act may be known and
7 cited as the public safety and semiautomatic assault rifle act.

8 **Sec. 3.** RCW 9.41.090 and 2018 c 201 s 6003 are each amended to
9 read as follows:

10 ENHANCED BACKGROUND CHECKS. (1) In addition to the other
11 requirements of this chapter, no dealer may deliver a pistol to the
12 purchaser thereof until:

13 (a) The purchaser produces a valid concealed pistol license and
14 the dealer has recorded the purchaser's name, license number, and
15 issuing agency, such record to be made in triplicate and processed as
16 provided in subsection (~~((5))~~) (6) of this section. For purposes of
17 this subsection (1)(a), a "valid concealed pistol license" does not
18 include a temporary emergency license, and does not include any
19 license issued before July 1, 1996, unless the issuing agency
20 conducted a records search for disqualifying crimes under RCW
21 9.41.070 at the time of issuance;

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

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

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

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

37 (i) Basic firearms safety rules;

1 (ii) Firearms and children, including secure gun storage and
2 talking to children about gun safety;
3 (iii) Firearms and suicide prevention;
4 (iv) Secure gun storage to prevent unauthorized access and use;
5 (v) Safe handling of firearms; and
6 (vi) State and federal firearms laws, including prohibited
7 firearms transfers.

8 The training must be sponsored by a federal, state, county, or
9 municipal law enforcement agency, a college or university, a
10 nationally recognized organization that customarily offers firearms
11 training, or a firearms training school with instructors certified by
12 a nationally recognized organization that customarily offers firearms
13 training. The proof of training shall be in the form of a
14 certification that states under the penalty of perjury the training
15 included the minimum requirements; and

16 (b) The dealer is notified in writing by (i) the chief of police
17 or the sheriff of the jurisdiction in which the purchaser resides
18 that the purchaser is eligible to possess a firearm under
19 RCW 9.41.040 and that the application to purchase is approved by the
20 chief of police or sheriff; or (ii) the state that the purchaser is
21 eligible to possess a firearm under RCW 9.41.040, as provided in
22 subsection (3)(b) of this section; or

23 (c) The requirements or time periods in RCW 9.41.092 have been
24 satisfied.

25 (3)(a) Except as provided in (b) of this subsection, in
26 determining whether the purchaser meets the requirements of RCW
27 9.41.040, the chief of police or sheriff, or the designee of either,
28 shall check with the national crime information center, including the
29 national instant criminal background check system, provided for by
30 the Brady Handgun Violence Prevention Act (18 U.S.C. Sec. 921 et
31 seq.), the Washington state patrol electronic database, the health
32 care authority electronic database, and with other agencies or
33 resources as appropriate, to determine whether the applicant is
34 ineligible under RCW 9.41.040 to possess a firearm.

35 (b) The state, through the legislature or initiative process, may
36 enact a statewide firearms background check system equivalent to, or
37 more comprehensive than, the check required by (a) of this subsection
38 to determine that a purchaser is eligible to possess a firearm under
39 RCW 9.41.040. Once ((the)) a state system is established, a dealer
40 shall use the state system and national instant criminal background

1 check system, provided for by the Brady Handgun Violence Prevention
2 Act (18 U.S.C. Sec. 921 et seq.), to make criminal background checks
3 of applicants to purchase firearms. (~~However, a chief of police or~~
4 ~~sheriff, or a designee of either, shall continue to check the health~~
5 ~~care authority's electronic database and with other agencies or~~
6 ~~resources as appropriate, to determine whether applicants are~~
7 ~~ineligible under RCW 9.41.040 to possess a firearm.~~

8 ~~(3))~~ (4) In any case under this section where the applicant has
9 an outstanding warrant for his or her arrest from any court of
10 competent jurisdiction for a felony or misdemeanor, the dealer shall
11 hold the delivery of the pistol or semiautomatic assault rifle until
12 the warrant for arrest is served and satisfied by appropriate court
13 appearance. The local jurisdiction for purposes of the sale, or the
14 state pursuant to subsection (3)(b) of this section, shall confirm
15 the existence of outstanding warrants within seventy-two hours after
16 notification of the application to purchase a pistol or semiautomatic
17 assault rifle is received. The local jurisdiction shall also
18 immediately confirm the satisfaction of the warrant on request of the
19 dealer so that the hold may be released if the warrant was for an
20 offense other than an offense making a person ineligible under RCW
21 9.41.040 to possess a (~~pistol~~) firearm.

22 ~~((4))~~ (5) In any case where the chief or sheriff of the local
23 jurisdiction, or the state pursuant to subsection (3)(b) of this
24 section, has reasonable grounds based on the following circumstances:
25 (a) Open criminal charges, (b) pending criminal proceedings, (c)
26 pending commitment proceedings, (d) an outstanding warrant for an
27 offense making a person ineligible under RCW 9.41.040 to possess a
28 (~~pistol~~) firearm, or (e) an arrest for an offense making a person
29 ineligible under RCW 9.41.040 to possess a (~~pistol~~) firearm, if the
30 records of disposition have not yet been reported or entered
31 sufficiently to determine eligibility to purchase a (~~pistol~~)
32 firearm, the local jurisdiction or the state may hold the sale and
33 delivery of the pistol or semiautomatic assault rifle up to thirty
34 days in order to confirm existing records in this state or elsewhere.
35 After thirty days, the hold will be lifted unless an extension of the
36 thirty days is approved by a local district court, superior court, or
37 municipal court for good cause shown. A dealer shall be notified of
38 each hold placed on the sale by local law enforcement or the state
39 and of any application to the court for additional hold period to
40 confirm records or confirm the identity of the applicant.

1 ~~((5))~~ (6)(a) At the time of applying for the purchase of a
2 pistol or semiautomatic assault rifle, the purchaser shall sign in
3 triplicate and deliver to the dealer an application containing:

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

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

7 (iii) The applicant's driver's license number or state
8 identification card number;

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

21 (v) A statement that the purchaser is eligible to purchase and
22 possess a ~~((pistol))~~ firearm under ~~((RCW 9.41.040))~~ state and federal
23 law; and

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

28 (b) The application shall contain ~~((a))~~ two warnings
29 substantially stated as follows:

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

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

1 The purchaser shall be given a copy of the department of fish and
2 wildlife pamphlet on the legal limits of the use of firearms(~~(7)~~) and
3 firearms safety(~~(7, and the fact that local laws and ordinances on~~
4 ~~firearms are preempted by state law and must be consistent with state~~
5 ~~law)~~).

6 (c) The dealer shall, by the end of the business day, sign and
7 attach his or her address and deliver a copy of the application and
8 such other documentation as required under subsections (1) and (2) of
9 this section to the chief of police of the municipality or the
10 sheriff of the county of which the purchaser is a resident, or the
11 state pursuant to subsection (3)(b) of this section. The triplicate
12 shall be retained by the dealer for six years. The dealer shall
13 deliver the pistol or semiautomatic assault rifle to the purchaser
14 following the period of time specified in this chapter unless the
15 dealer is notified of an investigative hold under subsection ~~((4))~~
16 (5) of this section in writing by the chief of police of the
17 municipality ~~((6))~~, the sheriff of the county, or the state,
18 whichever is applicable, ~~((denying))~~ or of the denial of the
19 purchaser's application to purchase and the grounds thereof. The
20 application shall not be denied unless the purchaser is not eligible
21 to purchase or possess ~~((a pistol))~~ the firearm under ~~((RCW~~
22 ~~9.41.040))~~ state or ((9.41.045, or)) federal law.

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

28 ~~((6))~~ (7)(a) To help offset the administrative costs of
29 implementing this section as it relates to new requirements for
30 semiautomatic assault rifles, the department of licensing may require
31 the dealer to charge each semiautomatic assault rifle purchaser or
32 transferee a fee not to exceed twenty-five dollars, except that the
33 fee may be adjusted at the beginning of each biennium to levels not
34 to exceed the percentage increase in the consumer price index for all
35 urban consumers, CPI-W, or a successor index, for the previous
36 biennium as calculated by the United States department of labor.

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

1 (i) The state for the cost of meeting its obligations under this
2 section;

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

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

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

12 (~~(7)~~) (9) This section does not apply to sales to licensed
13 dealers for resale or to the sale of antique firearms.

14 **Sec. 4.** RCW 9.41.092 and 2018 c 145 s 4 are each amended to read
15 as follows:

16 WAITING PERIOD. (1) Except as otherwise provided in this chapter
17 and except for semiautomatic assault rifles under subsection (2) of
18 this section, a licensed dealer may not deliver any firearm to a
19 purchaser or transferee until the earlier of:

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

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

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

37 NEW SECTION. Sec. 5. A new section is added to chapter 9.41 RCW
38 to read as follows:

1 SECURE GUN STORAGE. (1) A person who stores or leaves a firearm
2 in a location where the person knows, or reasonably should know, that
3 a prohibited person may gain access to the firearm:

4 (a) Is guilty of community endangerment due to unsafe storage of
5 a firearm in the first degree if a prohibited person obtains access
6 and possession of the firearm and causes personal injury or death
7 with the firearm; or

8 (b) Is guilty of community endangerment due to unsafe storage of
9 a firearm in the second degree if a prohibited person obtains access
10 and possession of the firearm and:

11 (i) Causes the firearm to discharge;

12 (ii) Carries, exhibits, or displays the firearm in a public place
13 in a manner that either manifests an intent to intimidate another or
14 that warrants alarm for the safety of other persons; or

15 (iii) Uses the firearm in the commission of a crime.

16 (2) (a) Community endangerment due to unsafe storage of a firearm
17 in the first degree is a class C felony punishable according to
18 chapter 9A.20 RCW.

19 (b) Community endangerment due to unsafe storage of a firearm in
20 the second degree is a gross misdemeanor punishable according to
21 chapter 9A.20 RCW.

22 (3) Subsection (1) of this section does not apply if:

23 (a) The firearm was in secure gun storage, or secured with a
24 trigger lock or similar device that is designed to prevent the
25 unauthorized use or discharge of the firearm;

26 (b) In the case of a person who is a prohibited person on the
27 basis of the person's age, access to the firearm is with the lawful
28 permission of the prohibited person's parent or guardian and
29 supervised by an adult, or is in accordance with RCW 9.41.042;

30 (c) The prohibited person obtains, or obtains and discharges, the
31 firearm in a lawful act of self-defense; or

32 (d) The prohibited person's access to the firearm was obtained as
33 a result of an unlawful entry, provided that the unauthorized access
34 or theft of the firearm is reported to a local law enforcement agency
35 in the jurisdiction in which the unauthorized access or theft
36 occurred within five days of the time the victim of the unlawful
37 entry knew or reasonably should have known that the firearm had been
38 taken.

39 (4) If a death or serious injury occurs as a result of an alleged
40 violation of subsection (1)(a) of this section, the prosecuting

1 attorney may decline to prosecute, even though technically sufficient
2 evidence to prosecute exists, in situations where prosecution would
3 serve no public purpose or would defeat the purpose of the law in
4 question.

5 (5) For the purposes of this section, "prohibited person" means a
6 person who is prohibited from possessing a firearm under state or
7 federal law.

8 (6) Nothing in this section mandates how or where a firearm must
9 be stored.

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

12 AVAILABILITY OF SECURE GUN STORAGE. (1) When selling or
13 transferring any firearm, every dealer shall offer to sell or give
14 the purchaser or transferee a secure gun storage device, or a trigger
15 lock or similar device that is designed to prevent the unauthorized
16 use or discharge of the firearm.

17 (2) Every store, shop, or sales outlet where firearms are sold,
18 that is registered as a dealer in firearms with the department of
19 licensing, shall conspicuously post, in a prominent location so that
20 all patrons may take notice, the following warning sign, to be
21 provided by the department of licensing, in block letters at least
22 one inch in height:

23 WARNING: YOU MAY FACE CRIMINAL PROSECUTION IF YOU STORE OR LEAVE
24 AN UNSECURED FIREARM WHERE A PERSON WHO IS PROHIBITED FROM POSSESSING
25 FIREARMS CAN AND DOES OBTAIN POSSESSION.

26 (3) Every store, shop, or sales outlet where firearms are sold
27 that is registered as a dealer in firearms with the department of
28 licensing, upon the sale or transfer of a firearm, shall deliver a
29 written warning to the purchaser or transferee that states, in block
30 letters not less than one-fourth inch in height:

31 WARNING: YOU MAY FACE CRIMINAL PROSECUTION IF YOU STORE OR LEAVE
32 AN UNSECURED FIREARM WHERE A PERSON WHO IS PROHIBITED FROM POSSESSING
33 FIREARMS CAN AND DOES OBTAIN POSSESSION.

34 (4) Every person who violates this section is guilty of a class 1
35 civil infraction under chapter 7.80 RCW and may be fined up to two
36 hundred fifty dollars. However, no such fines may be levied until
37 thirty days have expired from the time warning signs required under
38 subsection (2) of this section are distributed by the department of
39 licensing.

1 **Sec. 7.** RCW 9.41.094 and 2018 c 201 s 6004 are each amended to
2 read as follows:

3 A signed application to purchase a pistol or semiautomatic
4 assault rifle 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, to an
7 inquiring court or law enforcement agency, information relevant to
8 the applicant's eligibility to purchase a pistol or semiautomatic
9 assault rifle to an inquiring court or law enforcement agency.

10 **Sec. 8.** RCW 9.41.097 and 2018 c 201 s 6005 are each amended to
11 read as follows:

12 (1) The health care authority, mental health institutions, and
13 other health care facilities shall, upon request of a court (~~(or)~~),
14 law enforcement agency, or the state, supply such relevant
15 information as is necessary to determine the eligibility of a person
16 to possess a (~~pistol~~) firearm or to be issued a concealed pistol
17 license under RCW 9.41.070 or to purchase a pistol or semiautomatic
18 assault rifle under RCW 9.41.090.

19 (2) Mental health information received by: (a) The department of
20 licensing pursuant to RCW 9.41.047 or 9.41.173; (b) an issuing
21 authority pursuant to RCW 9.41.047 or 9.41.070; (c) a chief of police
22 or sheriff pursuant to RCW 9.41.090 or 9.41.173; (d) a court or law
23 enforcement agency pursuant to subsection (1) of this section; or (e)
24 the state pursuant to RCW 9.41.090, shall not be disclosed except as
25 provided in RCW 42.56.240(4).

26 **Sec. 9.** RCW 9.41.0975 and 2009 c 216 s 7 are each amended to
27 read as follows:

28 (1) The state, local governmental entities, any public or private
29 agency, and the employees of any state or local governmental entity
30 or public or private agency, acting in good faith, are immune from
31 liability:

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

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

36 (c) For issuing a concealed pistol license or alien firearm
37 license to a person ineligible for such a license;

1 (d) For failing to issue a concealed pistol license or alien
2 firearm license to a person eligible for such a license;

3 (e) For revoking or failing to revoke an issued concealed pistol
4 license or alien firearm license;

5 (f) For errors in preparing or transmitting information as part
6 of determining a person's eligibility to receive or possess a
7 firearm, or eligibility for a concealed pistol license or alien
8 firearm license;

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

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

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

15 (a) Directing an issuing agency to issue a concealed pistol
16 license or alien firearm license wrongfully refused;

17 (b) Directing a law enforcement agency to approve an application
18 to purchase a pistol or semiautomatic assault rifle wrongfully
19 denied;

20 (c) Directing that erroneous information resulting either in the
21 wrongful refusal to issue a concealed pistol license or alien firearm
22 license or in the wrongful denial of a purchase application for a
23 pistol or semiautomatic assault rifle be corrected; or

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

26 The application for the writ may be made in the county in which
27 the application for a concealed pistol license or alien firearm
28 license or to purchase a pistol or semiautomatic assault rifle was
29 made, or in Thurston county, at the discretion of the petitioner. A
30 court shall provide an expedited hearing for an application brought
31 under this subsection (2) for a writ of mandamus. A person granted a
32 writ of mandamus under this subsection (2) shall be awarded
33 reasonable attorneys' fees and costs.

34 **Sec. 10.** RCW 9.41.110 and 2009 c 479 s 10 are each amended to
35 read as follows:

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

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

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

9 (4) The duly constituted licensing authorities of any city, town,
10 or political subdivision of this state shall grant licenses in forms
11 prescribed by the director of licensing effective for not more than
12 one year from the date of issue permitting the licensee to sell
13 firearms within this state subject to the following conditions, for
14 breach of any of which the license shall be forfeited and the
15 licensee subject to punishment as provided in RCW 9.41.010 through
16 9.41.810. A licensing authority shall forward a copy of each license
17 granted to the department of licensing. The department of licensing
18 shall notify the department of revenue of the name and address of
19 each dealer licensed under this section.

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

33 (b) A dealer shall require every employee who may sell a firearm
34 in the course of his or her employment to undergo fingerprinting and
35 a background check. An employee must be eligible to possess a
36 firearm, and must not have been convicted of a crime that would make
37 the person ineligible for a concealed pistol license, before being
38 permitted to sell a firearm. Every employee shall comply with
39 requirements concerning purchase applications and restrictions on

1 delivery of pistols or semiautomatic assault rifles that are
2 applicable to dealers.

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

7 (b) A dealer may conduct business temporarily at a location other
8 than the building designated in the license, if the temporary
9 location is within Washington state and is the location of a gun show
10 sponsored by a national, state, or local organization, or an
11 affiliate of any such organization, devoted to the collection,
12 competitive use, or other sporting use of firearms in the community.
13 Nothing in this subsection (6) (b) authorizes a dealer to conduct
14 business in or from a motorized or towed vehicle.

15 In conducting business temporarily at a location other than the
16 building designated in the license, the dealer shall comply with all
17 other requirements imposed on dealers by RCW 9.41.090, 9.41.100, and
18 (~~9.41.110~~) this section. The license of a dealer who fails to
19 comply with the requirements of RCW 9.41.080 and 9.41.090 and
20 subsection (8) of this section while conducting business at a
21 temporary location shall be revoked, and the dealer shall be
22 permanently ineligible for a dealer's license.

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

27 (8) (a) No pistol or semiautomatic assault rifle may be sold: (i)
28 In violation of any provisions of RCW 9.41.010 through 9.41.810; nor
29 (ii) may a pistol or semiautomatic assault rifle be sold under any
30 circumstances unless the purchaser is personally known to the dealer
31 or shall present clear evidence of his or her identity.

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

37 (c) The license fee for pistols shall be one hundred twenty-five
38 dollars. The license fee for firearms other than pistols shall be one
39 hundred twenty-five dollars. The license fee for ammunition shall be
40 one hundred twenty-five dollars. Any dealer who obtains any license

1 under subsection (1), (2), or (3) of this section may also obtain the
2 remaining licenses without payment of any fee. The fees received
3 under this section shall be deposited in the state general fund.

4 (9) (a) A true record in triplicate shall be made of every pistol
5 or semiautomatic assault rifle sold, in a book kept for the purpose,
6 the form of which may be prescribed by the director of licensing and
7 shall be personally signed by the purchaser and by the person
8 effecting the sale, each in the presence of the other, and shall
9 contain the date of sale, the caliber, make, model and manufacturer's
10 number of the weapon, the name, address, occupation, and place of
11 birth of the purchaser, and a statement signed by the purchaser that
12 he or she is not ineligible under ((~~RCW 9.41.040~~)) state or federal
13 law to possess a firearm.

14 (b) One copy shall within six hours be sent by certified mail to
15 the chief of police of the municipality or the sheriff of the county
16 of which the purchaser is a resident, or the state pursuant to RCW
17 9.41.090; the duplicate the dealer shall within seven days send to
18 the director of licensing; the triplicate the dealer shall retain for
19 six years.

20 (10) Subsections (2) through (9) of this section shall not apply
21 to sales at wholesale.

22 (11) The dealer's licenses authorized to be issued by this
23 section are general licenses covering all sales by the licensee
24 within the effective period of the licenses. The department shall
25 provide a single application form for dealer's licenses and a single
26 license form which shall indicate the type or types of licenses
27 granted.

28 (12) Except as provided in RCW 9.41.090, every city, town, and
29 political subdivision of this state is prohibited from requiring the
30 purchaser to secure a permit to purchase or from requiring the dealer
31 to secure an individual permit for each sale.

32 **Sec. 11.** RCW 9.41.113 and 2017 c 264 s 2 are each amended to
33 read as follows:

34 (1) All firearm sales or transfers, in whole or part in this
35 state including without limitation a sale or transfer where either
36 the purchaser or seller or transferee or transferor is in Washington,
37 shall be subject to background checks unless specifically exempted by
38 state or federal law. The background check requirement applies to all
39 sales or transfers including, but not limited to, sales and transfers

1 through a licensed dealer, at gun shows, online, and between
2 unlicensed persons.

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

4 (a) The person is a licensed dealer;

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

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

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

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

22 (b) Except as provided in (a) of this subsection, the licensed
23 dealer shall comply with all requirements of federal and state law
24 that would apply if the licensed dealer were selling or transferring
25 the firearm from its inventory to the purchaser or transferee,
26 including but not limited to conducting a background check on the
27 prospective purchaser or transferee in accordance with federal and
28 state law requirements (~~and~~), fulfilling all federal and state
29 recordkeeping requirements, and complying with the specific
30 requirements and restrictions on semiautomatic assault rifles in this
31 act.

32 (c) The purchaser or transferee must complete, sign, and submit
33 all federal, state, and local forms necessary to process the required
34 background check to the licensed dealer conducting the background
35 check.

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

1 (e) The licensed dealer may charge a fee that reflects the fair
2 market value of the administrative costs and efforts incurred by the
3 licensed dealer for facilitating the sale or transfer of the firearm.

4 (4) This section does not apply to:

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

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

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

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

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

18 (d) A temporary transfer of possession of a firearm if: (i) The
19 transfer is intended to prevent suicide or self-inflicted great
20 bodily harm; (ii) the transfer lasts only as long as reasonably
21 necessary to prevent death or great bodily harm; and (iii) the
22 firearm is not utilized by the transferee for any purpose for the
23 duration of the temporary transfer;

24 (e) Any law enforcement or corrections agency and, to the extent
25 the person is acting within the course and scope of his or her
26 employment or official duties, any law enforcement or corrections
27 officer, United States marshal, member of the armed forces of the
28 United States or the national guard, or federal official;

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

32 (g) The temporary transfer of a firearm (i) between spouses or
33 domestic partners; (ii) if the temporary transfer occurs, and the
34 firearm is kept at all times, at an established shooting range
35 authorized by the governing body of the jurisdiction in which such
36 range is located; (iii) if the temporary transfer occurs and the
37 transferee's possession of the firearm is exclusively at a lawful
38 organized competition involving the use of a firearm, or while
39 participating in or practicing for a performance by an organized
40 group that uses firearms as a part of the performance; (iv) to a

1 person who is under eighteen years of age for lawful hunting,
2 sporting, or educational purposes while under the direct supervision
3 and control of a responsible adult who is not prohibited from
4 possessing firearms; (v) under circumstances in which the transferee
5 and the firearm remain in the presence of the transferor; or (vi)
6 while hunting if the hunting is legal in all places where the person
7 to whom the firearm is transferred possesses the firearm and the
8 person to whom the firearm is transferred has completed all training
9 and holds all licenses or permits required for such hunting, provided
10 that any temporary transfer allowed by this subsection is permitted
11 only if the person to whom the firearm is transferred is not
12 prohibited from possessing firearms under state or federal law;

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

22 (i) A sale or transfer when the purchaser or transferee is a
23 licensed collector and the firearm being sold or transferred is a
24 curio or relic.

25 **Sec. 12.** RCW 9.41.124 and 2015 c 1 s 7 are each amended to read
26 as follows:

27 Residents of a state other than Washington may purchase rifles
28 and shotguns, except those firearms defined as semiautomatic assault
29 rifles, in Washington: PROVIDED, That such residents conform to the
30 applicable provisions of the federal Gun Control Act of 1968, Title
31 IV, Pub. L. 90-351 as administered by the United States secretary of
32 the treasury: AND PROVIDED FURTHER, That such residents are eligible
33 to purchase or possess such weapons in Washington and in the state in
34 which such persons reside: AND PROVIDED FURTHER, That such residents
35 are subject to the procedures and background checks required by this
36 chapter.

37 **Sec. 13.** RCW 9.41.240 and 1994 sp.s. c 7 s 423 are each amended
38 to read as follows:

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

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

9 ((+1)) (a) In the person's place of abode;

10 ((+2)) (b) At the person's fixed place of business; or

11 ((+3)) (c) On real property under his or her control.

12 (3) Except in the places and situations identified in RCW
13 9.41.042 (1) through (9) and 9.41.060 (1) through (10), a person at
14 least eighteen years of age, but less than twenty-one years of age,
15 may possess a semiautomatic assault rifle only:

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

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

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

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

27 **Sec. 14.** RCW 9.41.129 and 2005 c 274 s 203 are each amended to
28 read as follows:

29 The department of licensing ~~((may))~~ shall keep copies or records
30 of applications for concealed pistol licenses provided for in RCW
31 9.41.070, copies or records of applications for alien firearm
32 licenses, copies or records of applications to purchase pistols or
33 semiautomatic assault rifles provided for in RCW 9.41.090, and copies
34 or records of pistol or semiautomatic assault rifle transfers
35 provided for in RCW 9.41.110. The copies and records shall not be
36 disclosed except as provided in RCW 42.56.240(4).

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

1 (1) Within twelve months of the effective date of this section,
2 the department of licensing shall, in conjunction with the Washington
3 state patrol and other state and local law enforcement agencies as
4 necessary, develop a cost-effective and efficient process to:

5 (a) Verify, on an annual or more frequent basis, that persons who
6 acquired pistols or semiautomatic assault rifles pursuant to this
7 chapter remain eligible to possess a firearm under state and federal
8 law; and

9 (b) If such persons are determined to be ineligible for any
10 reason, (i) notify and provide the relevant information to the chief
11 of police or the sheriff of the jurisdiction in which the purchaser
12 resides and (ii) take steps to ensure such persons are not illegally
13 in possession of firearms.

14 (2) The department of licensing, where appropriate, may consult
15 with individuals from the public and private sector or ask the
16 individuals to establish a temporary advisory committee to accomplish
17 the purposes in subsection (1) of this section. Members of such an
18 advisory committee are not entitled to expense reimbursement.

19 **Sec. 16.** RCW 9.41.010 and 2018 c 7 s 1 are each amended to read
20 as follows:

21 Unless the context clearly requires otherwise, the definitions in
22 this section apply throughout this chapter.

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

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

35 (3) "Bump-fire stock" means a butt stock designed to be attached
36 to a semiautomatic firearm with the effect of increasing the rate of
37 fire achievable with the semiautomatic firearm to that of a fully
38 automatic firearm by using the energy from the recoil of the firearm

1 to generate reciprocating action that facilitates repeated activation
2 of the trigger.

3 (4) "Crime of violence" means:

4 (a) Any of the following felonies, as now existing or hereafter
5 amended: Any felony defined under any law as a class A felony or an
6 attempt to commit a class A felony, criminal solicitation of or
7 criminal conspiracy to commit a class A felony, manslaughter in the
8 first degree, manslaughter in the second degree, indecent liberties
9 if committed by forcible compulsion, kidnapping in the second degree,
10 arson in the second degree, assault in the second degree, assault of
11 a child in the second degree, extortion in the first degree, burglary
12 in the second degree, residential burglary, and robbery in the second
13 degree;

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

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

20 (5) "Curio or relic" has the same meaning as provided in 27
21 C.F.R. Sec. 478.11.

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

30 (7) "Family or household member" means "family" or "household
31 member" as used in RCW 10.99.020.

32 (8) "Felony" means any felony offense under the laws of this
33 state or any federal or out-of-state offense comparable to a felony
34 offense under the laws of this state.

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

1 of the rehabilitation of the person convicted or a pardon, annulment,
2 or other equivalent procedure based on a finding of innocence.

3 (10) "Felony firearm offense" means:

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

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

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

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

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

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

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

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

23 (14) "Lawful permanent resident" has the same meaning afforded a
24 person "lawfully admitted for permanent residence" in 8 U.S.C. Sec.
25 1101(a)(20).

26 (15) "Licensed collector" means a person who is federally
27 licensed under 18 U.S.C. Sec. 923(b).

28 (16) "Licensed dealer" means a person who is federally licensed
29 under 18 U.S.C. Sec. 923(a).

30 (17) "Loaded" means:

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

32 (b) Cartridges are in a clip that is locked in place in the
33 firearm;

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

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

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

1 (18) "Machine gun" means any firearm known as a machine gun,
2 mechanical rifle, submachine gun, or any other mechanism or
3 instrument not requiring that the trigger be pressed for each shot
4 and having a reservoir clip, disc, drum, belt, or other separable
5 mechanical device for storing, carrying, or supplying ammunition
6 which can be loaded into the firearm, mechanism, or instrument, and
7 fired therefrom at the rate of five or more shots per second.

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

10 (20) "Person" means any individual, corporation, company,
11 association, firm, partnership, club, organization, society, joint
12 stock company, or other legal entity.

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

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

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

23 (24) "Secure gun storage" means:

24 (a) A locked box, gun safe, or other secure locked storage space
25 that is designed to prevent unauthorized use or discharge of a
26 firearm; and

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

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

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

35 (26) "Serious offense" means any of the following felonies or a
36 felony attempt to commit any of the following felonies, as now
37 existing or hereafter amended:

38 (a) Any crime of violence;

- 1 (b) Any felony violation of the uniform controlled substances
2 act, chapter 69.50 RCW, that is classified as a class B felony or
3 that has a maximum term of imprisonment of at least ten years;
- 4 (c) Child molestation in the second degree;
- 5 (d) Incest when committed against a child under age fourteen;
- 6 (e) Indecent liberties;
- 7 (f) Leading organized crime;
- 8 (g) Promoting prostitution in the first degree;
- 9 (h) Rape in the third degree;
- 10 (i) Drive-by shooting;
- 11 (j) Sexual exploitation;
- 12 (k) Vehicular assault, when caused by the operation or driving of
13 a vehicle by a person while under the influence of intoxicating
14 liquor or any drug or by the operation or driving of a vehicle in a
15 reckless manner;
- 16 (l) Vehicular homicide, when proximately caused by the driving of
17 any vehicle by any person while under the influence of intoxicating
18 liquor or any drug as defined by RCW 46.61.502, or by the operation
19 of any vehicle in a reckless manner;
- 20 (m) Any other class B felony offense with a finding of sexual
21 motivation, as "sexual motivation" is defined under RCW 9.94A.030;
- 22 (n) Any other felony with a deadly weapon verdict under RCW
23 9.94A.825;
- 24 (o) Any felony offense in effect at any time prior to June 6,
25 1996, that is comparable to a serious offense, or any federal or out-
26 of-state conviction for an offense that under the laws of this state
27 would be a felony classified as a serious offense; or
- 28 (p) Any felony conviction under RCW 9.41.115.
- 29 (~~(25)~~) (27) "Short-barreled rifle" means a rifle having one or
30 more barrels less than sixteen inches in length and any weapon made
31 from a rifle by any means of modification if such modified weapon has
32 an overall length of less than twenty-six inches.
- 33 (~~(26)~~) (28) "Short-barreled shotgun" means a shotgun having one
34 or more barrels less than eighteen inches in length and any weapon
35 made from a shotgun by any means of modification if such modified
36 weapon has an overall length of less than twenty-six inches.
- 37 (~~(27)~~) (29) "Shotgun" means a weapon with one or more barrels,
38 designed or redesigned, made or remade, and intended to be fired from
39 the shoulder and designed or redesigned, made or remade, and intended
40 to use the energy of the explosive in a fixed shotgun shell to fire

1 through a smooth bore either a number of ball shot or a single
2 projectile for each single pull of the trigger.

3 ~~((28))~~ (30) "Transfer" means the intended delivery of a firearm
4 to another person without consideration of payment or promise of
5 payment including, but not limited to, gifts and loans. "Transfer"
6 does not include the delivery of a firearm owned or leased by an
7 entity licensed or qualified to do business in the state of
8 Washington to, or return of such a firearm by, any of that entity's
9 employees or agents, defined to include volunteers participating in
10 an honor guard, for lawful purposes in the ordinary course of
11 business.

12 ~~((29))~~ (31) "Unlicensed person" means any person who is not a
13 licensed dealer under this chapter.

14 NEW SECTION. **Sec. 17.** This act takes effect July 1, 2019,
15 except for section 13 of this act which takes effect January 1, 2019.

16 NEW SECTION. **Sec. 18.** The director of the department of
17 licensing may take the necessary steps to ensure that this act is
18 implemented on its effective date.

19 NEW SECTION. **Sec. 19.** If any provision of this act or its
20 application to any person or circumstance is held invalid or
21 preempted by federal law, the remainder of the act or the application
22 of the provision to other persons or circumstances is not affected.