H-3970.2

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**SUBSTITUTE HOUSE BILL 2410**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** House Judiciary (originally sponsored by Representatives Hayes, Orwall, Klippert, Goodman, Griffey, Fitzgibbon, Magendanz, Muri, and Ormsby)

AN ACT Relating to requiring information about certain criminal defendants be included in the felony firearm offense conviction database; and amending RCW 9.41.330.

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

**Sec.**  RCW 9.41.330 and 2013 c 183 s 3 are each amended to read as follows:

(1) On or after ((~~July 28, 2013~~)) the effective date of this section, except as provided in subsection (3) of this section, whenever a defendant in this state is convicted of a felony firearm offense or found not guilty by reason of insanity of any felony firearm offense, the court must consider whether to impose a requirement that the person comply with the registration requirements of RCW 9.41.333 and may, in its discretion, impose such a requirement.

(2) In determining whether to require the person to register, the court shall consider all relevant factors including, but not limited to:

(a) The person's criminal history;

(b) Whether the person has previously been found not guilty by reason of insanity of any offense in this state or elsewhere; and

(c) Evidence of the person's propensity for violence that would likely endanger persons.

(3) When a person is convicted of a felony firearm offense or found not guilty by reason of insanity of any felony firearm offense that was committed in conjunction with any of the following offenses, the court must impose a requirement that the person comply with the registration requirements of RCW 9.41.333:

(a) An offense involving sexual motivation;

(b) An offense committed against a child under the age of eighteen; or

(c) A serious violent offense.

(4) For purposes of this section, "sexual motivation" and "serious violent offense" are defined as in RCW 9.94A.030.

**--- END ---**