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**HOUSE BILL 2738**

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

**By** Representatives S. Hunt, Ormsby, and Pollet

AN ACT Relating to requiring permission to bring a concealed firearm into another person's residence or dwelling place; amending RCW 9.41.075; adding a new section to chapter 9.41 RCW; and prescribing penalties.

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

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

(1) It is unlawful for a person to carry a concealed firearm into the residence or dwelling place of another person without first obtaining the express permission of the owner or person in legal control or possession of the residence or dwelling place.

(2) A person who violates this section is guilty of a misdemeanor punishable under RCW 9A.20.010.

(3) Upon conviction for a violation of this section, the court shall order the person to surrender any concealed pistol license and prohibit the person from obtaining a concealed pistol license for a period of five years from the date of conviction. The court shall forward the date of conviction and a copy of the person's driver's license or identicard, or comparable information, to the department of licensing within three judicial days after conviction. The department of licensing shall immediately notify the license issuing authority if the department of licensing's records indicate the convicted person has a concealed pistol license. Upon receipt of the notification, the license issuing authority shall immediately revoke the person's concealed pistol license for a period of five years from the date of conviction in accordance with RCW 9.41.075.

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

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

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

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

(c) Conviction of the licensee of an offense under section 1 of this act;

(d) Conviction of the licensee for a third violation of this chapter within five calendar years; or

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

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

(b) Upon discovering a person issued a concealed pistol license was ineligible for the license, the issuing authority shall contact the department of licensing to determine whether the person purchased a pistol while in possession of the license. If the person did purchase a pistol while in possession of the concealed pistol license, if the person may not lawfully possess a pistol without a concealed pistol license, the issuing authority shall require the person to present satisfactory evidence of having lawfully transferred ownership of the pistol. The issuing authority shall require the person to produce the evidence within fifteen days of the revocation of the license.

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

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

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

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

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

(4) Revocation of a concealed pistol license under subsection (1)(c) of this section shall be for a period of five years. The licensee may not reapply for a new concealed pistol license until the end of the revocation period.

(5) The issuing authority shall notify, in writing, the department of licensing of the revocation of a license. The department of licensing shall record the revocation.

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