1562-S AMH CHEN ADAM 050

**SHB 1562** - H AMD **486**

By Representative Cheney

**NOT ADOPTED 03/08/2023**

On page 15, line 1, after "(4)" strike "((~~(a)~~))" and insert "(a)"

On page 15, beginning on line 10, after "insanity." strike all material through "~~resides.~~))" on page 16, line 2 and insert "Notwithstanding any other provisions of this section, if a person is prohibited from possession of a firearm under subsection (1) or (2) of this section and has not previously been convicted or found not guilty by reason of insanity of a sex offense prohibiting firearm ownership under subsection (1) or (2) of this section and/or any felony defined under any law as a class A felony or with a maximum sentence of at least 20 years, or both, the individual may petition a court of record to have his or her right to possess a firearm restored:

(i) Under RCW 9.41.047; and/or

(ii)(A) If the conviction or finding of not guilty by reason of insanity was for a felony offense, after five or more consecutive years in the community without being convicted or found not guilty by reason of insanity or currently charged with any felony, gross misdemeanor, or misdemeanor crimes, if the individual has no prior felony convictions that prohibit the possession of a firearm counted as part of the offender score under RCW 9.94A.525; or

(B) If the conviction or finding of not guilty by reason of insanity was for a nonfelony offense, after three or more consecutive years in the community without being convicted or found not guilty by reason of insanity or currently charged with any felony, gross misdemeanor, or misdemeanor crimes, if the individual has no prior felony convictions that prohibit the possession of a firearm counted as part of the offender score under RCW 9.94A.525 and the individual has completed all conditions of the sentence.

(b) An individual may petition a court of record to have his or her right to possess a firearm restored under (a) of this subsection only at:

(i) The court of record that ordered the petitioner's prohibition on possession of a firearm; or

(ii) The superior court in the county in which the petitioner resides."

On page 16, beginning on line 28, strike all of subsection (8)

On page 16, beginning on line 30, strike all of sections 4 and 5

Renumber the remaining sections consecutively and correct any internal references accordingly.

|  |  |
| --- | --- |
|  | EFFECT:   Reverts to current law governing restoration of firearm rights by removing all provisions of the bill that make changes to the procedures or requirements for restoration of the right to possess firearms. Makes no changes to provisions governing the crime of Unlawful Possession of a Firearm. |

**--- END ---**