

FINAL BILL REPORT

SHB 1903

C 286 L 24
Synopsis as Enacted

Brief Description: Reporting lost or stolen firearms.

Sponsors: House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Berry, Taylor, Stonier, Fitzgibbon, Reed, Street, Callan, Walen, Peterson, Fosse, Reeves, Simmons, Kloba, Mena, Senn, Hackney, Goodman, Thai, Ryu, Cortes, Tharinger, Alvarado, Ramel, Duerr, Ramos, Bateman, Ormsby, Fey, Rule, Macri, Gregerson, Doglio, Orwall, Bergquist, Berg, Farivar, Ortiz-Self, Lekanoff, Nance, Riccelli, Pollet and Davis).

House Committee on Civil Rights & Judiciary
Senate Committee on Law & Justice

Background:

A person is guilty of community endangerment due to unsafe storage of a firearm if the person stores or leaves a firearm in a location where the person knows, or reasonably should know, that a person who is prohibited from possessing a firearm under state or federal law may gain access to the firearm and the prohibited person:

- causes the firearm to discharge;
- carries or displays the firearm in public in a manner intended to intimidate others;
- uses the firearm in the commission of a crime; or
- causes injury or death.

The crime of Community Endangerment Due to Unsafe Storage of a Firearm in the first degree is a class C felony and is a gross misdemeanor in the second degree. If a prohibited person accesses a firearm as a result of an unlawful entry, it is not Community Endangerment Due to Unsafe Storage of a Firearm if the:

- firearm was in secure gun storage or secured with a trigger lock or similar device;
- prohibited person obtains the firearm in a lawful act of self-defense; or
- unauthorized access or theft of the firearm is reported to a local law enforcement agency in the jurisdiction in which the unauthorized access or theft occurred within

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five days of when the victim of the unlawful entry knew or reasonably should have known that the firearm had been taken.

The civil infraction system allows minor offenses to be decriminalized and to receive a civil fine or infraction. A person found to have committed a civil infraction is assessed a monetary penalty that is generally \$250 for a class 1 civil infraction.

Summary:

An owner or person lawfully in possession of a firearm who suffers the loss or theft of the firearm must report the loss or theft to the local law enforcement agency where the loss or theft occurred within 24 hours after the person first discovered the loss or theft. There is an exception to the 24-hour reporting requirement for good cause shown. The report must include, to the extent known:

- the firearm's caliber, make, model, manufacturer, and serial number;
- any other distinguishing number or identification mark on the firearm; and
- the circumstances of the loss or theft, including the date, place, and manner.

A law enforcement agency that receives a report of a lost or stolen firearm must enter the firearm's caliber, make, model, manufacturer, and serial number and any other distinguishing number or identification mark on the firearm, to the extent known, into the National Crime Information Center database.

Upon issuing a firearm dealer's license, local licensing authorities must provide the dealer with signage with specified language to post at the point-of-sale that notifies persons of the criminal and civil penalties for any failure to safely secure firearms or to report lost or stolen firearms. Any person who fails to report the occurrence of a lost or stolen firearm commits a civil infraction and is subject to a monetary penalty of up to \$1,000 regardless of the number of firearms that are lost or stolen.

Votes on Final Passage:

House	57	40	
Senate	29	20	(Senate amended)
House	57	40	(House concurred)

Effective: June 6, 2024