

# SENATE BILL REPORT

## HB 1934

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As of March 28, 2019

**Title:** An act relating to renewal of a concealed pistol license by members of the armed forces.

**Brief Description:** Renewing a concealed pistol license by members of the armed forces.

**Sponsors:** Representatives Caldier, Kilduff, Mosbrucker, Irwin, Pollet, Chapman, Leavitt and Van Werven.

**Brief History:** Passed House: 3/06/19, 97-0.

**Committee Activity:** Law & Justice: 3/28/19.

### Brief Summary of Bill

- Requires law enforcement to allow a member of the armed forces to renew their concealed pistol license by mail if the person is assigned to out-of-state military service.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Shani Bauer (786-7468)

**Background:** It is generally unlawful for a person to carry a pistol concealed on their person, except in the person's abode or fixed place of business, unless they have a valid concealed pistol license (CPL). Carrying a concealed pistol without having a CPL is a misdemeanor offense. Failure to carry a CPL in one's immediate possession while carrying a concealed pistol is a civil infraction.

To obtain a CPL, a person must submit an application along with a complete set of fingerprints to the local law enforcement agency. The agency may not deny the CPL unless the person:

- is ineligible to possess a firearm under state or federal law;
- is under twenty-one years of age;
- is subject to a protection order that prohibits the person from possessing a firearm;
- is free on bond or personal recognizance pending trial, appeal, or sentencing or has an outstanding warrant for arrest; and
- has been ordered to forfeit a firearm within one year before filing the application.

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To verify eligibility for the CPL, the local law enforcement agency must conduct a check through:

- the National Instant Criminal Background Check System;
- the Washington State Patrol (WSP) electronic database;
- the Health Care Authority database; and
- other agencies or resources as appropriate.

The requirement to check those systems applies whether the applicant is applying for an original CPL or to renew a CPL.

A CPL is valid for five years. The fee for an original CPL is \$36, plus additional charges imposed by the Federal Bureau of Investigation, that are passed on to the applicant. A CPL holder may renew the license by applying for renewal within 90 days before or after expiration of the license. The renewal takes effect on the expiration date of the previous license. The renewal fee is \$32, and if the licensee renews after the expiration date, an additional \$10 late renewal penalty applies.

**Summary of Bill:** No later than October 1, 2019, law enforcement agencies must develop and implement a procedure for renewing CPLs through a mail application process for any person who is a member of the Armed Forces, including the National Guard and Armed Forces Reserves, and is unable to renew their CPL because of the person's assignment, reassignment, or deployment for out-of-state military service. In addition to the mail application process, law enforcement agencies may develop a process for renewing CPLs online.

To qualify to utilize the online or mail application process, the person must:

- provide a copy of their original orders designating the specific period of assignment, reassignment, or deployment for out-of-state military service;
- apply for renewal within 90 days before or after the expiration date of the license; and
- pay the renewal licensing fee and any late renewal penalty, if applicable.

A CPL renewed under this subsection takes effect on the expiration date of the prior license and is valid for one year.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** None.

**Persons Testifying:** No one.

**Persons Signed In To Testify But Not Testifying:** No one.