H-2786.1

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**SUBSTITUTE HOUSE BILL 1903**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** House 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)

AN ACT Relating to reporting lost or stolen firearms; amending RCW 7.80.120; 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) An owner or other person lawfully in possession of a firearm who suffers the loss or theft of the firearm shall report the facts and circumstances of 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 unless the delay is 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.

(2) A law enforcement agency that receives a report of a lost or stolen firearm shall enter the following information, to the extent known, into the national crime information center database:

(a) The firearm's caliber, make, model, manufacturer, and serial number; and

(b) Any other distinguishing number or identification mark on the firearm.

(3) A person who fails to report a lost or stolen firearm in violation of this section commits a civil infraction and is subject to a monetary penalty of up to $1,000.

**Sec.**  RCW 7.80.120 and 2023 c 102 s 13 are each amended to read as follows:

(1) A person found to have committed a civil infraction shall be assessed a monetary penalty.

(a) The maximum penalty and the default amount for a class 1 civil infraction shall be $250, not including statutory assessments, except for an infraction of state law involving (i) potentially dangerous litter as specified in RCW 70A.200.060(4), in which case the maximum penalty and default amount is $500; or (ii) a person's refusal to submit to a test or tests pursuant to RCW 79A.60.040 and 79A.60.700, in which case the maximum penalty and default amount is $1,000; or (iii) the misrepresentation of service animals under RCW 49.60.214, in which case the maximum penalty and default amount is $500; or (iv) untraceable firearms pursuant to RCW 9.41.326 or unfinished frames or receivers pursuant to RCW 9.41.327, in which case the maximum penalty and default amount is $500; or (v) the failure to report the loss or theft of a firearm under section 1 of this act, in which case the maximum penalty and default amount is $1,000;

(b) The maximum penalty and the default amount for a class 2 civil infraction shall be $125, not including statutory assessments;

(c) The maximum penalty and the default amount for a class 3 civil infraction shall be $50, not including statutory assessments; and

(d) The maximum penalty and the default amount for a class 4 civil infraction shall be $25, not including statutory assessments.

(2) The supreme court shall prescribe by rule the conditions under which local courts may exercise discretion in assessing fines for civil infractions.

(3) Whenever a monetary penalty is imposed by a court under this chapter it is immediately payable. If the person is unable to pay at that time the court may grant an extension of the period in which the penalty may be paid. If the penalty is not paid on or before the time established for payment, the court may proceed to collect the penalty in the same manner as other civil judgments and may notify the prosecuting authority of the failure to pay.

(4) The court may also order a person found to have committed a civil infraction to make restitution.

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