

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE HOUSE BILL 2118**

68th Legislature  
2024 Regular Session

Passed by the House March 5, 2024  
Yeas 56 Nays 39

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**Speaker of the House of  
Representatives**

Passed by the Senate February 27,  
2024  
Yeas 28 Nays 21

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2118** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE HOUSE BILL 2118**

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AS AMENDED BY THE SENATE

Passed Legislature - 2024 Regular Session

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

**By** House Civil Rights & Judiciary (originally sponsored by Representatives Walen, Berry, Senn, Reed, Ormsby, Ramel, Peterson, Macri, Farivar, Doglio, Wylie, Reeves, Hackney, Pollet, Kloba, and Davis)

READ FIRST TIME 01/24/24.

1            AN ACT Relating to protecting the public from gun violence by  
2 establishing additional requirements for the business operations of  
3 licensed firearms dealers; amending RCW 9.41.110; and providing an  
4 effective date.

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

6            **Sec. 1.** RCW 9.41.110 and 2023 c 161 s 8 are each amended to read  
7 as follows:

8            (1) No dealer may sell or otherwise transfer, or expose for sale  
9 or transfer, or have in his or her possession with intent to sell, or  
10 otherwise transfer, any pistol without being licensed as provided in  
11 this section.

12            (2) No dealer may sell or otherwise transfer, or expose for sale  
13 or transfer, or have in his or her possession with intent to sell, or  
14 otherwise transfer, any firearm other than a pistol without being  
15 licensed as provided in this section.

16            (3) No dealer may sell or otherwise transfer, or expose for sale  
17 or transfer, or have in his or her possession with intent to sell, or  
18 otherwise transfer, any ammunition without being licensed as provided  
19 in this section.

20            (4) The duly constituted licensing authorities of any city, town,  
21 or political subdivision of this state shall grant licenses in forms

1 prescribed by the director of licensing effective for not more than  
2 one year from the date of issue permitting the licensee to sell  
3 firearms within this state subject to the following conditions, for  
4 breach of any of which the license shall be forfeited and the  
5 licensee subject to punishment as provided in this chapter. A  
6 licensing authority shall forward a copy of each license granted to  
7 the department of licensing. The department of licensing shall notify  
8 the department of revenue of the name and address of each dealer  
9 licensed under this section. Any law enforcement agency acting within  
10 the scope of its jurisdiction may investigate a breach of the  
11 licensing conditions established in this chapter.

12 (5)(a) A licensing authority shall, within (~~thirty~~) 30 days  
13 after the filing of an application of any person for a dealer's  
14 license, determine whether to grant the license. However, if the  
15 applicant does not have a valid permanent Washington driver's license  
16 or Washington state identification card, or has not been a resident  
17 of the state for the previous consecutive (~~ninety~~) 90 days, the  
18 licensing authority shall have up to (~~sixty~~) 60 days to determine  
19 whether to issue a license. No person shall qualify for a license  
20 under this section without first receiving a federal firearms license  
21 and undergoing fingerprinting and a background check. In addition, no  
22 person ineligible to possess a firearm under RCW 9.41.040 or  
23 ineligible for a concealed pistol license under RCW 9.41.070 shall  
24 qualify for a dealer's license.

25 (b) A dealer shall require every employee who may sell a firearm  
26 in the course of his or her employment to undergo fingerprinting and  
27 a background check in advance of engaging in the sale or transfer of  
28 firearms and to undergo a background check annually thereafter. An  
29 employee must be at least 21 years of age, eligible to possess a  
30 firearm, and must not have been convicted of a crime that would make  
31 the person ineligible for a concealed pistol license, before being  
32 permitted to sell a firearm. Every employee shall comply with  
33 requirements concerning purchase applications and restrictions on  
34 delivery of firearms that are applicable to dealers.

35 (6) As a condition of licensure, a dealer shall annually certify  
36 to the licensing authority, in writing and under penalty of perjury,  
37 that the dealer is in compliance with each licensure requirement  
38 established in this section.

39 (7)(a) Except as otherwise provided in (b) of this subsection,  
40 the business shall be carried on only in the building designated in

1 the license. For the purpose of this section, advertising firearms  
2 for sale shall not be considered the carrying on of business.

3 (b) A dealer may conduct business temporarily at a location other  
4 than the building designated in the license, if the temporary  
5 location is within Washington state and is the location of a gun show  
6 sponsored by a national, state, or local organization, or an  
7 affiliate of any such organization, devoted to the collection,  
8 competitive use, or other sporting use of firearms in the community.  
9 Nothing in this subsection (~~((6))~~) (7)(b) authorizes a dealer to  
10 conduct business in or from a motorized or towed vehicle.

11 In conducting business temporarily at a location other than the  
12 building designated in the license, the dealer shall comply with all  
13 other requirements imposed on dealers by RCW 9.41.090, 9.41.100, and  
14 this section. The license of a dealer who fails to comply with the  
15 requirements of RCW 9.41.080 and 9.41.090 and subsection (~~((8))~~) (16)  
16 of this section while conducting business at a temporary location  
17 shall be revoked, and the dealer shall be permanently ineligible for  
18 a dealer's license.

19 (~~((7))~~) (8) The license or a copy thereof, certified by the  
20 issuing authority, shall be displayed on the premises in the area  
21 where firearms are sold, or at the temporary location, where it can  
22 easily be read.

23 (~~((8))~~) (9)(a) The business building location designated in the  
24 license shall be secured:

25 (i) With at least one of the following features designed to  
26 prevent unauthorized entry, which must be installed on each exterior  
27 door and window of the place of business:

28 (A) Bars or grates;

29 (B) Security screens; or

30 (C) Commercial grade metal doors; and

31 (ii) With a security alarm system that is:

32 (A) Properly installed and maintained in good condition;

33 (B) Monitored by a remote central station that can contact law  
34 enforcement in the event of an alarm;

35 (C) Capable of real-time monitoring of all exterior doors and  
36 windows, and all areas where firearms are stored; and

37 (D) Equipped with, at minimum, detectors that can perceive entry,  
38 motion, and sound.

1 (b) It is not a violation of this subsection if any security  
2 feature or system becomes temporarily inoperable through no fault of  
3 the dealer.

4 (10)(a) Dealers shall secure each firearm during business hours,  
5 except when the firearm is being shown to a customer, repaired, or  
6 otherwise worked on, in a manner that prevents a customer or other  
7 member of the public from accessing or using the firearm, which may  
8 include keeping the firearm in a locked container or in a locked  
9 display case.

10 (b) Other than during business hours, all firearms shall be  
11 secured (i) on the dealer's business premises in a locked fireproof  
12 safe or vault, (ii) in a room or building that meets all requirements  
13 of subsection (9)(a) of this section, or (iii) in a secured and  
14 locked area under the dealer's control while the dealer is conducting  
15 business at a temporary location.

16 (11)(a) A dealer shall ensure that its business location  
17 designated in the license is monitored by a digital video  
18 surveillance system that meets all of the following requirements:

19 (i) The system shall clearly record images and, for systems  
20 located inside the premises, audio, of the area under surveillance;

21 (ii) Each camera shall be permanently mounted in a fixed  
22 location. Cameras shall be placed in locations that allow the camera  
23 to clearly record activity occurring in all areas described in  
24 (a)(iii) of this subsection and reasonably produce recordings that  
25 allow for the clear identification of any person;

26 (iii) The areas recorded shall include, but are not limited to,  
27 all of the following:

28 (A) Interior views of all exterior doors, windows, and any other  
29 entries or exits to the premises;

30 (B) All areas where firearms are displayed; and

31 (C) All points of sale, sufficient to identify the parties  
32 involved in the transaction;

33 (iv) The system shall be capable of recording 24 hours per day at  
34 a frame rate no less than 15 frames per second, and must either (A)  
35 record continuously or (B) be activated by motion and remain active  
36 for at least 15 seconds after motion ceases to be detected;

37 (v) The media or device on which recordings are stored shall be  
38 secured in a manner to protect the recording from tampering,  
39 unauthorized access or use, or theft;

1 (vi) Recordings shall be maintained for a minimum of 90 days for  
2 all recordings of areas where firearms are displayed and points of  
3 sale, and for a minimum of 45 days for all recordings of interior  
4 views of exterior doors, windows, and any other entries or exits;

5 (vii) Recorded images shall clearly and accurately display the  
6 date and time;

7 (viii) The system shall be equipped with a failure notification  
8 system that provides notification to the licensee of any interruption  
9 or failure of the system or storage device.

10 (b) A licensed dealer shall not use, share, allow access to, or  
11 otherwise release surveillance recordings, to any person except as  
12 follows:

13 (i) A dealer shall allow access to the system or release  
14 recordings to any person pursuant to search warrant or other court  
15 order.

16 (ii) A dealer may allow access to the system or release  
17 recordings to any person in response to an insurance claim or as part  
18 of the civil discovery process including, but not limited to, in  
19 response to subpoenas, request for production or inspection, or other  
20 court order.

21 (c) The dealer shall post a sign in a conspicuous place at each  
22 entrance to the premises that states in block letters not less than  
23 one inch in height: "THESE PREMISES ARE UNDER VIDEO AND AUDIO  
24 SURVEILLANCE. YOUR IMAGE AND CONVERSATIONS MAY BE RECORDED."

25 (d) This section does not preclude any local authority or local  
26 governing body from adopting or enforcing local laws or policies  
27 regarding video surveillance that do not contradict or conflict with  
28 the requirements of this section.

29 (e) It is not a violation of this subsection if the surveillance  
30 system becomes temporarily inoperable through no fault of the dealer.

31 (12) A dealer shall:

32 (a) Promptly review and respond to all requests from law  
33 enforcement agencies and officers, including trace requests and  
34 requests for documents and records, as soon as practicably possible  
35 and no later than 24 hours after learning of the request;

36 (b) Promptly notify local law enforcement agencies and the bureau  
37 of alcohol, tobacco, firearms and explosives of any loss, theft, or  
38 unlawful transfer of any firearm or ammunition as soon as practicably  
39 possible and no later than 24 hours after the dealer knows or should  
40 know of the reportable event.

1       (13) A dealer shall:

2       (a) Establish and maintain a book, or if the dealer should  
3 choose, an electronic-based record of purchase, sale, inventory, and  
4 other records at the dealer's place of business and shall make all  
5 such records available to law enforcement upon request. Such records  
6 shall at a minimum include the make, model, caliber or gauge,  
7 manufacturer's name, and serial number of all firearms that are  
8 acquired or disposed of not later than one business day after their  
9 acquisition or disposition;

10       (b) Maintain monthly backups of the records required by (a) of  
11 this subsection in a secure container designed to prevent loss by  
12 fire, theft, or flood. If the dealer chooses to maintain an  
13 electronic-based record system, those records shall be backed up on  
14 an external server or over the internet at the close of each business  
15 day;

16       (c) Account for all firearms acquired but not yet disposed of  
17 through an inventory check prepared each month and maintained in a  
18 secure location;

19       (d) Maintain and make available at any time to government law  
20 enforcement agencies and to the manufacturer of the weapon or its  
21 designee, firearm disposition information, including the serial  
22 numbers of firearms sold, dates of sale, and identity of purchasers;

23       (e) Retain all bureau of alcohol, tobacco, firearms and  
24 explosives form 4473 transaction records on the dealer's business  
25 premises in a secure container designed to prevent loss by fire,  
26 theft, or flood;

27       (f) Maintain for six years copies of trace requests received,  
28 including notations for trace requests received by phone for six  
29 years;

30       (g) Provide annual reporting to the Washington state attorney  
31 general concerning trace requests, including at a minimum the  
32 following:

33       (i) The total number of trace requests received;

34       (ii) For each trace, the make and model of the gun and date of  
35 sale; and

36       (iii) Whether the dealer was inspected by the bureau of alcohol,  
37 tobacco, firearms and explosives, and copies of any reports of  
38 violations or letters received from the bureau of alcohol, tobacco,  
39 firearms and explosives.

1       (14) The attorney general may create, publish, and require  
2 firearm dealers to file a uniform form for all annual dealer reports  
3 required by subsection (13)(g) of this section.

4       (15) A dealer shall carry a general liability insurance policy  
5 providing at least \$1,000,000 of coverage per incident.

6       (16)(a) No firearm may be sold: (i) In violation of any  
7 provisions of this chapter; nor (ii) under any circumstances unless  
8 the purchaser is personally known to the dealer or shall present  
9 clear evidence of his or her identity.

10       (b) A dealer who sells or delivers any firearm in violation of  
11 RCW 9.41.080 is guilty of a class C felony. In addition to any other  
12 penalty provided for by law, the dealer is subject to mandatory  
13 permanent revocation of his or her dealer's license and permanent  
14 ineligibility for a dealer's license.

15       (c) The license fee for pistols shall be one hundred twenty-five  
16 dollars. The license fee for firearms other than pistols shall be one  
17 hundred twenty-five dollars. The license fee for ammunition shall be  
18 one hundred twenty-five dollars. Any dealer who obtains any license  
19 under subsection (1), (2), or (3) of this section may also obtain the  
20 remaining licenses without payment of any fee. The fees received  
21 under this section shall be deposited in the state general fund.

22       ~~((+9))~~ (17)(a) A true record shall be made of every pistol or  
23 semiautomatic assault rifle sold, in a book kept for the purpose, the  
24 form of which may be prescribed by the director of licensing and  
25 shall be personally signed by the purchaser and by the person  
26 effecting the sale, each in the presence of the other, and shall  
27 contain the date of sale, the caliber, make, model and manufacturer's  
28 number of the weapon, the name, address, occupation, and place of  
29 birth of the purchaser, and a statement signed by the purchaser that  
30 he or she is not ineligible under state or federal law to possess a  
31 firearm. The dealer shall retain the transfer record for six years.

32       (b) The dealer shall transmit the information from the firearm  
33 transfer application through secure automated firearms e-check (SAFE)  
34 to the Washington state patrol firearms background check program. The  
35 Washington state patrol firearms background check program shall  
36 transmit the application information for pistol and semiautomatic  
37 assault rifle transfer applications to the director of licensing  
38 daily. The original application shall be retained by the dealer for  
39 six years.



1        ~~((10))~~ (18) Subsections (2) through ~~((9))~~ (17) of this  
2 section shall not apply to sales at wholesale.

3        ~~((11))~~ (19) Subsections (6) and (9) through (15) of this  
4 section shall not apply to dealers with a sales volume of \$1,000 or  
5 less per month on average over the preceding 12 months. A dealer that  
6 previously operated under this threshold and subsequently exceeds it  
7 must comply with the requirements of subsections (6) and (9) through  
8 (15) of this section within one year of exceeding the threshold.

9        (20) The dealer's licenses authorized to be issued by this  
10 section are general licenses covering all sales by the licensee  
11 within the effective period of the licenses. The department shall  
12 provide a single application form for dealer's licenses and a single  
13 license form which shall indicate the type or types of licenses  
14 granted.

15        ~~((12))~~ (21) Except as otherwise provided in this chapter, every  
16 city, town, and political subdivision of this state is prohibited  
17 from requiring the purchaser to secure a permit to purchase or from  
18 requiring the dealer to secure an individual permit for each sale.

19        NEW SECTION.    **Sec. 2.** This act takes effect July 1, 2025.

20        NEW SECTION.    **Sec. 3.** If any provision of this act or its  
21 application to any person or circumstance is held invalid, the  
22 remainder of the act or the application of the provision to other  
23 persons or circumstances is not affected.

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