

SENATE BILL REPORT

E2SHB 1163

As Passed Senate - Amended, April 14, 2025

Title: An act relating to enhancing requirements relating to the purchase, transfer, and possession of firearms by requiring a permit to purchase firearms, specifying requirements and standards for firearms safety training programs and issuance of concealed pistol licenses, specifying circumstances where a firearm transfer may be delayed, requiring recordkeeping for all firearm transfers, and establishing reporting requirements regarding permits to purchase firearms and concealed pistol licenses.

Brief Description: Enhancing requirements relating to the purchase, transfer, and possession of firearms.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Berry, Taylor, Farivar, Walen, Pollet, Alvarado, Mena, Duerr, Reed, Ryu, Parshley, Ramel, Fitzgibbon, Callan, Macri, Cortes, Obras, Doglio, Gregerson, Simmons, Peterson, Street, Goodman, Wylie, Fey, Kloba, Berg, Davis, Fosse, Salahuddin, Hill and Tharinger).

Brief History: Passed House: 3/8/25, 58-38.

Committee Activity: Law & Justice: 3/25/25, 3/27/25 [DPA-WM, DNP].
Ways & Means: 4/04/25, 4/07/25 [DPA, DNP, w/oRec].

Floor Activity: Passed Senate - Amended: 4/14/25, 29-19.

Brief Summary of Bill (As Amended by Senate)

- Requires a permit to purchase a firearm and establishes requirements for the application, issuance, and revocation of such permits.
- Specifies requirements and standards for firearm safety training programs and the issuance of concealed pistol licenses.
- Specifies circumstances where a firearm transfer may be delayed.
- Requires recordkeeping for all firearm transfers.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

- Establishes reporting requirements related to permits to purchase firearms and concealed pistol licenses.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Lovick, Salomon and Valdez.

Minority Report: Do not pass.

Signed by Senators Holy, Ranking Member; Fortunato, Torres and Wagoner.

Staff: Joe McKittrick (786-7287)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended.

Signed by Senators Robinson, Chair; Stanford, Vice Chair, Operating; Trudeau, Vice Chair, Capital; Frame, Vice Chair, Finance; Cleveland, Dhingra, Hansen, Hasegawa, Pedersen, Riccelli, Saldaña, Wellman and Wilson, C..

Minority Report: Do not pass.

Signed by Senators Gildon, Ranking Member, Operating; Torres, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Dozier, Assistant Ranking Member, Capital; Braun, Muzzall, Wagoner and Warnick.

Minority Report: That it be referred without recommendation.

Signed by Senators Conway and Kauffman.

Staff: Kimmy Eide (786-7471)

Background: Firearm Transfers Through Dealers. Firearm dealers must comply with federal and state law when processing firearm transfers. Dealers are required by state and federal law to conduct background checks on prospective firearm purchasers to determine whether the purchaser is eligible to possess a firearm. State law requires a background check through the Washington State Patrol Firearms Background Check Program (background check program) for all firearm sales or transfers unless specifically exempted by law.

Under state law, a dealer may not deliver a firearm to a purchaser or transferee until:

- the purchaser provides proof of completion of a recognized firearm safety program within the last five years, or proof of exemption from this training requirement;

- the dealer is notified by the background check program that the purchaser is eligible to possess a firearm under state and federal law; and
- ten business days have elapsed from the date the dealer requested the background check.

The required firearm safety training program must include the following minimum components:

- basic firearm safety rules;
- talking to children about gun safety;
- firearms and suicide prevention;
- secure gun storage;
- safe handling of firearms;
- state and federal firearm laws including laws pertaining to the use of deadly force for self-defense; and
- techniques for avoiding a criminal attack and managing a violent confrontation.

Proof of training must be in the form of a certification stating under penalty of perjury that the training included the minimum requirements.

General authority peace officers, federal peace officers who have arrest powers and carry a firearm, and military members who, as part of their services have completed firearm training that includes instruction on safe handling and shooting proficiency, within the last five years are exempt from the training requirement.

A dealer must make a record of all pistol and semiautomatic assault rifles sold and provide this record to the background check program. The background check program must then transmit those records to the Department of Licensing (DOL) who must retain the records.

Concealed Pistol Licenses. Without a valid concealed pistol license (CPL), it is misdemeanor crime for a person to carry a concealed pistol except in the person's abode or fixed place of business. Failure to carry a CPL while carrying a concealed pistol is a civil infraction.

To obtain a CPL a person must apply with their local law enforcement agency and undergo a fingerprint-based background check to determine eligibility. An application for a CPL must include the applicant's name, residential address, date of birth, race, gender, physical description, complete set of fingerprints, and driver's license number or state identification card number.

A CPL must be issued if the applicant is 21 years of age or older, is eligible to possess a firearm under state and federal law, and meets the following additional requirements:

- is not subject to a court injunction regarding firearms under a number of listed protection, restraining, and no-contact orders;
- is not pending trial, appeal, or sentencing for a felony offense;

- is not subject to an outstanding arrest warrant for any crime; and
- has not, within the past year, been ordered to forfeit a firearm for possessing a concealed firearm while intoxicated in a place where a CPL is required.

A person whose application for a firearm transfer or a CPL is denied may apply to a court for a writ of mandamus directing approval of the transfer or issuance of the CPL. Such an application may also be brought to direct that erroneous information resulting in the wrongful denial of an application for a firearm transfer or CPL be corrected.

Summary of Amended Bill: Permit to Purchase Firearms. A person may apply for a permit to purchase firearms with the background check program by submitting:

- a complete set of fingerprints taken by the local law enforcement agency in the jurisdiction in which the applicant resides;
- a certificate of completion of a certified firearms safety training program within the last five years, or proof that the applicant is exempt from the training requirement;
- the required permit application fee; and
- a completed application which must include the applicant's:
 1. full name and place and date of birth;
 2. residential address and current mailing address, if different;
 3. driver's license number or state identification card number;
 4. physical description;
 5. telephone number and email address, at the option of the applicant; and
 6. electronic signature.

The permit to purchase must be in a form prescribed by WSP and must contain a unique permit number, expiration date, and the name, date of birth, residential address, and brief description of the licensee.

The background check program must issue a permit to purchase firearms to an eligible applicant, or deny the application, within 30 days of the date the application was filed, or within 60 days if the applicant does not have a valid permanent Washington driver's license or Washington identification card or has not been a resident of Washington for the previous consecutive 90 days, unless additional time is necessary to obtain all required information and records needed to determine the applicant's eligibility for the permit.

A permit must be issued unless the applicant:

- is prohibited from purchasing or possessing a firearm under state or federal law;
- is subject to a court order or injunction regarding firearms under laws governing protection orders, no-contact orders, and restraining orders;
- is free on bond or personal recognizance pending trial, appeal, or sentencing for felony offenses;
- has an outstanding warrant for the applicant's arrest from any court of competent jurisdiction for a felony or misdemeanor making the person ineligible to possess a firearm; or

- has failed to produce a certificate of completion of a certified firearms safety training program within the last five years, or proof that the applicant is exempt from the training requirement.

In determining the applicant's eligibility, the background check program must check specified federal and state databases. A background check for an original permit must be conducted through the WSP Criminal Records Division and include a national check from the Federal Bureau of Investigation. The applicant may request and receive a copy of the results of the background check and may seek to amend or correct the applicant's record.

Under certain circumstances, where an applicant's identity or eligibility cannot be confirmed the applicant's eligibility to possess firearms cannot be confirmed due to disposition records in this state or elsewhere reflecting open or pending criminal charges, pending commitment proceedings, or an arrest for an offense making a person ineligible to possess a firearm, the background check program shall notify the dealer that delivery of the firearm must be delayed.

If the permit application is denied, the background check program must send the applicant a written notice stating the specific grounds for the denial. A permit to purchase is valid for five years and may be renewed for a subsequent five-year period by applying for a renewal within 90 days before or after the expiration date of the permit. The background check program may charge permit application fees that will cover as nearly as practicable the direct and indirect costs incurred in creating and administering the permit to purchase firearms. Revenue from the fees must be deposited in the state Firearms Background Check System Account. Any amounts appropriated for purposes of initial establishment of the permit to purchase must be reimbursed from the state Firearms Background Check System Account by June 30, 2028.

A local law enforcement agency may charge a reasonable fee for taking and transmitting fingerprints of an applicant. A permit applicant must also pay a fingerprint processing fee.

A signed application constitutes a waiver of confidentiality and written request that the Health Care Authority, mental health institutions, and other health care facilities release information relevant to the applicant's eligibility for a permit to purchase firearms to a court or the background check program.

The background check program must revoke a permit to purchase firearms upon the occurrence of any act or condition that would prevent the issuance of a permit. A written notice of the revocation must be sent to the permit holder stating the specific grounds on which the permit is revoked.

The background check program must develop procedures to verify on an annual basis that persons who have been issued a permit to purchase firearms remain eligible to possess firearms and must revoke the permit of a person who is determined to be ineligible. The

background check program must provide notification of the revocation and relevant information to the local law enforcement agency where the person resides so that local law enforcement may take steps to ensure the permit holder is not in possession of firearms illegally.

The background check program must submit an annual report to the Legislature that includes specified information relating to the permit to purchase firearms, including:

- the number of permit applications submitted, issued, denied, and revoked;
- demographic data on the number of applicants seeking permits which were issued and the number that were denied;
- the frequency of denials for each of the statutory disqualifying factors;
- the number and disposition of appeals for permit denials; and
- the number of cases in which the background check program has provided notice of permit revocations to local law enforcement agencies, the number of cases where law enforcement agencies have taken action to remove firearms, and the number of firearms recovered in such cases.

Dealer Transfers. A dealer may not deliver a firearm to a purchaser or transferee until the purchaser or transferee produces a valid permit to purchase a firearm. The application for purchase or transfer must include the identification number of the applicant's permit to purchase firearms.

Once a dealer has submitted a purchase or transfer application to the background check program, the background check program must advise the dealer that the delivery of the firearm is delayed if the applicant has an outstanding arrest warrant, and if the warrant is confirmed as valid, the background check program must advise the dealer the transfer is denied. The background check program must also notify a dealer that a delivery must be delayed to confirm existing records where there are open criminal charges, pending criminal or commitment proceedings, or an arrest for a disqualifying offense.

Transfer application requirements and the requirement that a dealer must make a record for pistol and semiautomatic assault rifle transfers are made applicable to all firearm transfers. DOL must retain records of applications and transfer records for all firearm transfers. The requirement that a dealer must retain applications for firearm transfers for six years is removed.

Concealed Pistol Licenses. A CPL may not be issued to an applicant unless the applicant has provided proof of completion of a certified concealed carry firearms safety training program within the last five years, or proof of an exemption from the training requirement. An applicant for a CPL who presents a valid permit to purchase firearms is exempt from the requirement for a fingerprint-based background check.

An issuing authority must send an applicant a written notice of the denial of a CPL application. A CPL must be revoked if the licensee has become ineligible for a CPL. A

notice of denial or revocation must cite the statute under which the denial or revocation is made, and any information disclosed regarding the grounds for the denial or revocation must be consistent with rules governing the dissemination of criminal history information. The notice must also include information on the procedure for an applicant or license holder to request that the law enforcement agency reconsider the denial or revocation.

Issuing authorities must annually submit to WSP aggregated CPL application data for statewide analysis of the uniformity of the licensing system and potential demographic barriers. WSP must annually submit a report to the Legislature that includes specified data relating to CPLs for the preceding year, including:

- the number of license applications submitted, issued, denied, and revoked;
- demographic data on the number of applicants seeking licenses that were issued and the number denied, including race, gender, date of birth, and county of residence;
- the frequency with which licenses were denied for each of the statutory disqualifying factors;
- the number and disposition of license denial decisions appealed by license applicants; and
- information on any barriers to compiling and analyzing the data.

Firearm Safety Training. An applicant for a permit to purchase firearms must provide a certificate of completion of a certified firearms safety training program, and an applicant for a CPL must provide proof of completion of a certified concealed carry firearms safety training program. The certified programs must include live-fire shooting exercises on a firing range that include a demonstration by the applicant of the safe handling of, and shooting proficiency with, firearms. Live-fire training for the concealed carry firearms safety training program must include firing of a minimum of 50 rounds. Training must be sponsored by a federal, state, tribal, county, or municipal law enforcement agency, a college or university, a nationally recognized organization that customarily offers firearms training, or a firearms training school with instructors certified by a nationally recognized organization that customarily offers firearms training.

WSP must certify training programs that meet these requirements and prescribe the form of documentation for use as proof of completion of a training program or proof of an exemption. Firearm safety programs must be recertified every five years.

Language providing exemptions from the firearm safety training requirements for law enforcement and military members are revised and apply upon showing proper identification. The exemption for military members is revised to remove the requirement that the person, as part of military service, has completed training in firearms proficiency within the past five years that included training on safe handling and shooting proficiency with firearms. Proper identification for a military member includes the armed forces identification card or other document certifying the person is an active military member.

Exemptions to the firearm safety training are added for licensed armed security guards,

licensed armed private investigators, and tribal law enforcement. Proper identification for armed security guards and armed private investigators include license cards or other documents certifying the person is a licensed armed security guard or private investigator.

Other Provisions. Amendments are made to other provisions of law to incorporate permits to purchase firearms, including:

- authorizing a writ of mandamus court action to direct an issuing agency to issue a permit to purchase firearms wrongfully refused and providing immunity from liability to governmental entities acting in good faith for issuing, failing to issue, or revoking a permit to purchase firearms;
- providing that when a person becomes ineligible to possess firearms as a result of a criminal conviction, involuntary commitment, or extreme risk protection order, the court must provide notice of the disqualification to the background check program which must revoke or suspend the person's permit to purchase firearms; and
- requiring the revocation of a permit to purchase firearms based on a conviction of the offense making it unlawful to carry, exhibit, display, or draw a firearm or other specified weapon in a manner or under circumstances that manifest an intent to intimidate another or that warrants alarm for the safety of others.

Technical corrections are made to a statute governing the background check program to correct cross references and remove language that is no longer necessary.

The effective date of this act is amended to be May 1, 2027.

Appropriation: The bill contains a null and void clause requiring specific funding be provided in an omnibus appropriation act.

Fiscal Note: Available.

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

Effective Date: The bill contains several effective dates. Please refer to the bill.

Staff Summary of Public Testimony on Engrossed Second Substitute House Bill (Law & Justice): *The committee recommended a different version of the bill than what was heard.* PRO: This bill will save lives. Washington has already introduced components of a robust permitting system, and this bill would build on that progress. Without these measures, we will not have all the tools necessary to ensure prohibited persons do not get firearms and that buyers are not doing so in violation of state law. Other states that have adopted similar measures have seen reductions in rates of homicides and suicides. Why should a weapon that can take a life in a matter of seconds be given to someone without training on how to handle it or a permit to use it?

This bill would prevent guns from falling into the hands of criminals and ensure buyers

learn how to handle and store their weapons safely.

We must improve law enforcement efforts to remove guns from people who are a danger to themselves or others. Research shows permits to purchase laws save lives. States that adopt these laws see fewer mass shootings, fewer officers shot, and fewer shootings by officers. Firearm violence continues to be the leading cause of death for kids in the United States. The essence of this bill lies in its ability to ensure that firearms are entrusted to responsible and trained individuals. Many of the components of this bill will help address the safety of elders in our communities. This legislation represents a common sense measure that prioritizes public safety while respecting responsible gun ownership.

CON: This bill will significantly impact the armed private investigator industry, an industry that provides firearm training for armed licensed professionals in this state. A license to drive is not a constitutionally protected right. The Second Amendment limits the government's ability to infringe on an individual's right to keep and bear arms. Under this bill you need to obtain a permit, but to obtain a permit, you need a firearm to pass the required live-fire safety training. Permit to purchase requirements deter current and future firearm owners from exercising their Second Amendment rights. Firearm classes generally cost between \$100 and \$150 per hour, and those costs are likely to go up under this bill.

There are not enough firearm instructors to accommodate the requirements of this bill. Constitutional rights may not be converted into a privilege and a fee associated with it. Access to arms is central to the right to bear arms. This bill is rife with unconstitutional provisions under the auspice of public safety. The Washington State Patrol is already suffering from a backlog of firearm background checks and this bill will only exacerbate the situation.

Violent crime in Washington has skyrocketed while the national average has trended down. Supporting this bill will make it more difficult for victims of domestic violence to exercise their Second Amendment right. Domestic violence victims will never find the time or money to apply for this permit or do the required training. This bill will be deadly to women. Delaying a citizen's right to purchase a firearm puts them at great risk. Criminals are not going to go through a safety course and suddenly think twice about the crime they intend to commit. This bill will not reduce crime. Ninety percent of firearms used in crimes are stolen, and this bill will not affect that statistic. The unconstitutional aspect of this bill will open the state to costly lawsuits and civil liability.

Persons Testifying (Law & Justice): PRO: Finley Gonzales; Angel Stokes; Alex McCourt, Johns Hopkins; Mike Van Dyke; Jim Parsons; Jennifer Dolan-Waldman, Grandmothers Against Gun Violence; Tahana Salvadalena; Rebecca Elbaum; Nick Brown, Attorney General's Office; Finley Gonzales; Angel Stokes.

CON: MARTIN LOUGH, NRA firearms instructor; Troy Nichols, National Shooting Sports Foundation; Aoibheann Cline, NRA; Jeffrey Slotnick, Setracon Inc.; Troy Nichols,

National Shooting Sports Foundation; Dan Mitchell, WA Civil Rights Association; Robin Ball; Jane Milhans; Amanda McKinney, Yakima County Commissioner; Elizabeth Bienas; Francis Plumb.

Persons Signed In To Testify But Not Testifying (Law & Justice): PRO: Jean Hill, Washington State Catholic Conference; Megan Moore, WA State Public Health Association; Mahika Malladi; Jean Hill, WA State Catholic Conference (WSCC); Erin Cizmas; Diane Studley; Karyn Brownson, King County Public Health; April Schentrup; Margaret Heldring, Grandmothers for Gun Responsibility; Liz Hjelmesth; Kate Telis, Everytown; Dr. Gwen Loosmore, WA PTA; Paula Barnes; Add Madsen; Nancy Dombrowski.

CON: Jonathan Mendoza; Ashley Soderman; Wayne Schakel; Zachary Andersen; Shannon Chris Shuck; Jeff Walmsley; Benjamin Reed; Brandon Filbeck; Matthew Jasper; Travis Arnett; Alexander Lawrence; Jeremy Raymond; Richard White White; George Allen; Jason Kazmark; Derek Chambers; Dylan Valorz; Scott Theibert; Paul Hanson; Timothy Sieverkropp; Tamara Hanson; Britney Inglis; Carson Nichols; Derek Berry; Christopher Gorney; Dwight Smith; Grey Kumar; Skyler F; MICHAEL NIM; PHILLIP Johnson; Josh Eigenraam; Andrew Taft; Daniel Holmes; Jonathan Tronson; Michelle Schreiber; Bronc Hutsell; Brandon Sharp; Christopher Thompson; Jessica Straub; William Hinzman; Joseph DiMarco; Donald Miniken; Dennis Cherry; Justin Moran; Regina McGovern; Andrew Barrera; Ty Kirkham; Alexander Dominguez; Elizabeth Bienas; Samuel Kniveton; Billy Urquhart; Patricia Goben; Bea Christophersen; Anderson Kim; Chris Gronlund; Julia Evans; Milton S; Austin Schneider; Kaitlyn Chantry; Anthony Miranti; Xiaojian Cong; Garret Butts; Ilya Zlatkovsky; Dominic Gillo; Christal Gillo; Michael McKinley; Brian Keelean, Washington State Rifle and Pistol Association, Tacoma Rifle and Revolver Club, Paul Bunyan Sports.; Roy Lafromboise, N/a; Robert Bates; Eric Pratt, America; Natalie Schubert; Kristopher Page; Michael Schubert; Joseph Wittig; Kallee Orton; Dylan Ouellet; Charles McElrath; Anthony Mixer, Washington State Young Republicans; Shawn Downs; Thomas Kosloske; Pete Singh; Eric Stanton; Shannon Stanton; Mark Williams; Ken Pontelandolfo; Michael Moore, REPRESENT As a CITIZENS NO ON HB 1163; Jeremy Shearer, Second Amendment; Cesar Matute; Wayne J Cope; Dorian Olson; Jacob Mack; Jeff Greinke; Damon Samoska; Dylan VanOgle; Pedro Lopes; Rob Dahl; Enrique Rico, An individual; Alex Dorr, Washington Gun Rights; Jose Garcia; Liza Simmonds; Chris Jarnutowski; TaraLyn Fray; Teodorin Morca; Melissa Cory; Tom Shofner; Jeremy Ball; Mario Brusasco; Thomas DellaRocco; Cody Shipley; Aurora Skipper; Kirk Struble, Ducks Unlimited; Rachell Nordberg; Sandy Hoar; Nicholas Snoey; Robert Logsdon; Isaac Stowers; Randall Chapman; Chad Marlow; Bryan Ostbye; Alina Dillon; Thomas Olson; Talon Sorensen; Linda Wow; Jacob Smith; Anthony Holan; Elizabeth VanSteertegem, Grandmother for self-defense; Robert Waters; Spencer Lieser; Thomas Godsil; Brett Carvo; Rachel Nicacio; Micheal Picon II; Chris Denham; Darryl Davis; Richard Gaeth; Robert Wilson; Fabian Rubenstein; Anthony Skeels; Tarisa Childers.

OTHER: Cory Causey.

Staff Summary of Public Testimony on Bill as Amended by Law & Justice (Ways & Means): *The committee recommended a different version of the bill than what was heard.*

PRO: Studies show that permit to purchase programs reduce gun violence and suicides, by preventing impulsive decisions and ensuring only responsible individuals can legally obtain firearms. By creating a more responsible framework for firearm access, this bill will positively impact communities disproportionately affected by gun violence, particularly low income communities and communities of color.

Gun violence costs the state millions of dollars per year. This bill is general fund neutral, paid for through a modest fee structure, and fiscally responsible.

CON: This bill restricts constitutional rights and imposes prohibitive financial barriers on law-abiding citizens. An individual's income should not determine whether they are able to own firearms and protect themselves. This bill will not deter criminals who are content to bypass legal channels, in fact, it incentivizes criminality to avoid bureaucratic red tape. The bill underestimates implementation costs, invites expensive litigation, and will not improve public safety. Washington State Patrol is already overburdened and understaffed. Washington State should focus on enforcing existing laws instead of punishing gun owners.

Persons Testifying (Ways & Means): PRO: Isaiah Lenard; Jennifer Dolan-Waldman, Grandmothers Against Gun Violence; Ann Madsen; Elizabeth Wagner, Johns Hopkins School of Public Health; Mahika Malladi; Dr. Cora Breuner, WA Chapter of the American Academy of Pediatrics.

CON: Teodorin Morca; Daniel Mitchell, Washington Civil Rights Association; Christopher Thompson, Retired Federal Officer; Michelle Schreiber; Laurie Layne; Noah Meehan, Washington State Young Republicans; Troy Nichols, National Shooting Sports Foundation; Dale Whitaker; Anderson Kim; Mark Davis; Aoibheann Cline, NRA; JOHN MORGAN; Elizabeth Binas; Bea Christophersen; Dave Workman, Citizens Committee for the Right to Keep and Bear Arms; brian keelean, washington state rifle and pistol organization, tacoma rifle and revolver club, paul bunyan sportman; Jeremy Ball, Sharp Shooting Indoor Range & Gun Shop.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.