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**HOUSE BILL 2521**

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**State of Washington**

**69th Legislature**

**2026 Regular Session**

**By** Representatives Ormsby, Berry, Parshley, Pollet, Leavitt, and Donaghy; by request of Washington State Patrol

Read first time 01/16/26. Referred to Committee on Appropriations.

1 AN ACT Relating to firearms background check; amending RCW  
2 43.43.580 and 43.43.580; providing an effective date; and providing  
3 an expiration date.

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

5 **Sec. 1.** RCW 43.43.580 and 2024 c 289 s 7 are each amended to  
6 read as follows:

7 (1) The Washington state patrol shall establish a firearms  
8 background check program to serve as a centralized single point of  
9 contact for dealers to conduct background checks for firearms sales  
10 or transfers required under chapter 9.41 RCW and the federal Brady  
11 handgun violence prevention act (18 U.S.C. Sec. 921 et seq.). The  
12 Washington state patrol shall establish an automated firearms  
13 background check system to conduct background checks on applicants  
14 for the purchase or transfer of a firearm. The system must include  
15 the following characteristics:

16 (a) Allow a dealer to contact the Washington state patrol through  
17 a web portal or other electronic means and by telephone to request a  
18 background check of an applicant for the purchase or transfer of a  
19 firearm;

20 (b) Provide a dealer with a notification that a firearm purchase  
21 or transfer application has been received;

1 (c) Assign a unique identifier to the background check inquiry;

2 (d) Provide an automated response to the dealer indicating  
3 whether the transfer may proceed or is denied, or that the check is  
4 indeterminate and will require further investigation;

5 (e) Include measures to ensure data integrity and the  
6 confidentiality and security of all records and data transmitted and  
7 received by the system; and

8 (f) Include a performance metrics tracking system to evaluate the  
9 performance of the background check system.

10 (2) Upon receipt of a request from a dealer for a background  
11 check in connection with the sale or transfer of a firearm, the  
12 Washington state patrol shall:

13 (a) Provide the dealer with a notification that a firearm  
14 transfer application has been received;

15 (b) Conduct a check of the national instant criminal background  
16 check system and the following additional records systems to  
17 determine whether the transferee is prohibited from possessing a  
18 firearm under state or federal law: (i) The Washington crime  
19 information center and Washington state identification system; (ii)  
20 the health care authority electronic database; (iii) the federal  
21 bureau of investigation national data exchange database and any  
22 available repository of statewide local law enforcement record  
23 management systems information; (iv) the administrative office of the  
24 courts case management system; and (v) other databases or resources  
25 as appropriate;

26 (c) Perform an equivalency analysis on criminal charges in  
27 foreign jurisdictions to determine if the applicant has been  
28 convicted as defined in RCW 9.41.040(3) and if the offense is  
29 equivalent to a Washington felony as defined in RCW 9.41.010;

30 (d) Notify the dealer without delay that the records indicate the  
31 individual is prohibited from possessing a firearm and the transfer  
32 is denied or that the individual is approved to complete the  
33 transfer. If the results of the background check are indeterminate,  
34 the Washington state patrol shall notify the dealer of the delay and  
35 conduct necessary research and investigation to resolve the inquiry;  
36 and

37 (e) Provide the dealer with a unique identifier for the inquiry.

38 (3) The Washington state patrol may hold the delivery of a  
39 firearm to an applicant under the circumstances provided in RCW  
40 9.41.090 (4) and (5).

1           (4) (a) The Washington state patrol shall require a dealer to  
2 charge each firearm purchaser or transferee a fee for performing  
3 background checks in connection with firearms transfers. The fee must  
4 be set at an amount reasonably calculated to cover the direct and  
5 indirect costs to the Washington state patrol incurred in  
6 administering the firearm background check program. (~~The fee must be~~  
7 ~~set at an amount necessary to cover the annual costs of operating and~~  
8 ~~maintaining the firearm background check system but shall not exceed~~  
9 ~~eighteen dollars.~~) The Washington state patrol shall transmit the  
10 fees collected to the state treasurer for deposit in the state  
11 firearms background check system account created in RCW 43.43.590. It  
12 is the intent of the legislature that once the state firearm  
13 background check system is established, the fee established in this  
14 section will replace the fee required in RCW 9.41.090(7).

15           (b) The background check fee required under this subsection does  
16 not apply to any background check conducted in connection with a  
17 pawnbroker's receipt of a pawned firearm or the redemption of a  
18 pawned firearm.

19           (5) The Washington state patrol shall establish a procedure for a  
20 person who has been denied a firearms transfer as the result of a  
21 background check to appeal the denial to the Washington state patrol  
22 and to obtain information on the basis for the denial and procedures  
23 to review and correct any erroneous records that led to the denial.

24           (6) The Washington state patrol shall work with the  
25 administrative office of the courts to build a link between the  
26 firearm background check system and the administrative office of the  
27 courts case management system for the purpose of accessing court  
28 records to determine a person's eligibility to possess a firearm.

29           (7) Upon establishment of the firearm background check system  
30 under this section, the Washington state patrol shall notify each  
31 dealer in the state of the existence of the system, and the dealer  
32 must use the system to conduct background checks for firearm sales or  
33 transfers beginning on the date that is thirty days after issuance of  
34 the notification.

35           (8) The Washington state patrol shall consult with the Washington  
36 background check advisory board created in RCW 43.43.585 in carrying  
37 out its duties under this section.

38           (9) No later than July 1, 2025, and annually thereafter, the  
39 Washington state patrol firearms background check program shall  
40 report to the appropriate committees of the legislature the average

1 time between receipt of request for a background check and final  
2 decision.

3 (10) All records and information prepared, obtained, used, or  
4 retained by the Washington state patrol in connection with a request  
5 for a firearm background check are exempt from public inspection and  
6 copying under chapter 42.56 RCW.

7 (11) The Washington state patrol may adopt rules necessary to  
8 carry out the purposes of this section.

9 (12) For the purposes of this section, "dealer" has the same  
10 meaning as given in RCW 9.41.010.

11 **Sec. 2.** RCW 43.43.580 and 2025 c 370 s 17 are each amended to  
12 read as follows:

13 (1) The Washington state patrol shall establish a firearms  
14 background check program to serve as a centralized single point of  
15 contact for dealers to conduct background checks for firearms sales  
16 or transfers required under chapter 9.41 RCW and the federal Brady  
17 handgun violence prevention act (18 U.S.C. Sec. 921 et seq.). The  
18 Washington state patrol shall establish an automated firearms  
19 background check system to conduct background checks on applicants  
20 for the purchase or transfer of a firearm. The system must include  
21 the following characteristics:

22 (a) Allow a dealer to contact the Washington state patrol through  
23 a web portal or other electronic means and by telephone to request a  
24 background check of an applicant for the purchase or transfer of a  
25 firearm;

26 (b) Provide a dealer with a notification that a firearm purchase  
27 or transfer application has been received;

28 (c) Assign a unique identifier to the background check inquiry;

29 (d) Provide an automated response to the dealer indicating  
30 whether the transfer may proceed or is denied, or that the check is  
31 indeterminate and will require further investigation;

32 (e) Include measures to ensure data integrity and the  
33 confidentiality and security of all records and data transmitted and  
34 received by the system; and

35 (f) Include a performance metrics tracking system to evaluate the  
36 performance of the background check system.

37 (2) Upon receipt of a request from a dealer for a background  
38 check in connection with the sale or transfer of a firearm, the  
39 Washington state patrol shall:

1 (a) Provide the dealer with a notification that a firearm  
2 transfer application has been received;

3 (b) Conduct a check of the national instant criminal background  
4 check system and the following additional records systems to  
5 determine whether the transferee is prohibited from possessing a  
6 firearm under state or federal law: (i) The Washington crime  
7 information center and Washington state identification system; (ii)  
8 the health care authority electronic database; (iii) the federal  
9 bureau of investigation national data exchange database and any  
10 available repository of statewide local law enforcement record  
11 management systems information; (iv) the administrative office of the  
12 courts case management system; and (v) other databases or resources  
13 as appropriate;

14 (c) Perform an equivalency analysis on criminal charges in  
15 foreign jurisdictions to determine if the applicant has been  
16 convicted as defined in RCW 9.41.040(3) and if the offense is  
17 equivalent to a Washington felony as defined in RCW 9.41.010;

18 (d) Notify the dealer without delay that the records indicate the  
19 individual is prohibited from possessing a firearm and the transfer  
20 is denied or that the individual is approved to complete the  
21 transfer. If the results of the background check are indeterminate,  
22 the Washington state patrol shall notify the dealer of the delay and  
23 conduct necessary research and investigation to resolve the inquiry;  
24 and

25 (e) Provide the dealer with a unique identifier for the inquiry.

26 (3) The Washington state patrol may hold the delivery of a  
27 firearm to an applicant under the circumstances provided in RCW  
28 9.41.090(3).

29 (4)(a) The Washington state patrol shall require a dealer to  
30 charge each firearm purchaser or transferee a fee for performing  
31 background checks in connection with firearms transfers. The fee must  
32 be set at an amount reasonably calculated to cover the direct and  
33 indirect costs to the Washington state patrol incurred in  
34 administering the firearm background check program. (~~The fee must be~~  
35 ~~set at an amount necessary to cover the annual costs of operating and~~  
36 ~~maintaining the firearm background check system but shall not exceed~~  
37 ~~eighteen dollars.~~) The Washington state patrol shall transmit the  
38 fees collected to the state treasurer for deposit in the state  
39 firearms background check system account created in RCW 43.43.590.

1 (b) The background check fee required under this subsection does  
2 not apply to any background check conducted in connection with a  
3 pawnbroker's receipt of a pawned firearm or the redemption of a  
4 pawned firearm.

5 (5) The Washington state patrol shall establish a procedure for a  
6 person who has been denied a firearms transfer as the result of a  
7 background check to appeal the denial to the Washington state patrol  
8 and to obtain information on the basis for the denial and procedures  
9 to review and correct any erroneous records that led to the denial.

10 (6) The Washington state patrol shall work with the  
11 administrative office of the courts to build a link between the  
12 firearm background check system and the administrative office of the  
13 courts case management system for the purpose of accessing court  
14 records to determine a person's eligibility to possess a firearm.

15 (7) Upon establishment of the firearm background check system  
16 under this section, the Washington state patrol shall notify each  
17 dealer in the state of the existence of the system, and the dealer  
18 must use the system to conduct background checks for firearm sales or  
19 transfers beginning on the date that is thirty days after issuance of  
20 the notification.

21 (8) The Washington state patrol shall consult with the Washington  
22 background check advisory board created in RCW 43.43.585 in carrying  
23 out its duties under this section.

24 (9) No later than July 1, 2025, and annually thereafter, the  
25 Washington state patrol firearms background check program shall  
26 report to the appropriate committees of the legislature the average  
27 time between receipt of request for a background check and final  
28 decision.

29 (10) All records and information prepared, obtained, used, or  
30 retained by the Washington state patrol in connection with a request  
31 for a firearm background check are exempt from public inspection and  
32 copying under chapter 42.56 RCW.

33 (11) The Washington state patrol may adopt rules necessary to  
34 carry out the purposes of this section.

35 (12) For the purposes of this section, "dealer" has the same  
36 meaning as given in RCW 9.41.010.

37 NEW SECTION. **Sec. 3.** Section 1 of this act expires May 1, 2027.

1        NEW SECTION.    **Sec. 4.**    Section 2 of this act takes effect May 1,  
2    2027.

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