

---

**SENATE BILL 5140**

---

**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Lias and Valdez

Prefiled 01/06/25.

1       AN ACT Relating to enhancing requirements relating to the  
2 purchase, transfer, and possession of firearms by requiring a permit  
3 to purchase firearms, specifying requirements and standards for  
4 firearms safety training programs and issuance of concealed pistol  
5 licenses, specifying circumstances where a firearm transfer may be  
6 delayed, requiring recordkeeping for all firearm transfers, and  
7 establishing reporting requirements regarding permits to purchase  
8 firearms and concealed pistol licenses; amending RCW 9.41.090,  
9 9.41.1132, 43.43.590, 9.41.047, 9.41.070, 9.41.075, 9.41.097,  
10 9.41.0975, 9.41.110, 9.41.129, 9.41.270, 7.105.350, and 43.43.580;  
11 adding new sections to chapter 9.41 RCW; adding a new section to  
12 chapter 43.43 RCW; and providing an effective date.

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

14       **Sec. 1.** RCW 9.41.090 and 2023 c 161 s 1 are each amended to read  
15 as follows:

16       (1) In addition to the other requirements of this chapter, no  
17 dealer may deliver a firearm to the purchaser or transferee thereof  
18 until:

19       (a) The purchaser (~~provides proof of completion of a recognized~~  
20 ~~firearm safety training program within the last five years that~~  
21 ~~complies with the requirements in RCW 9.41.1132, or proof that the~~

1 ~~purchaser is exempt from the training requirement))~~ or transferee  
2 produces a valid permit to purchase firearms under section 2 of this  
3 act;

4 (b) The dealer is notified by the Washington state patrol  
5 firearms background check program that the purchaser or transferee is  
6 eligible to possess a firearm under state and federal law; and

7 (c) The requirements and time periods in RCW 9.41.092 have been  
8 satisfied.

9 (2) In determining whether the purchaser or transferee is  
10 eligible to possess a firearm, the Washington state patrol firearms  
11 background check program shall check with the national instant  
12 criminal background check system, provided for by the Brady handgun  
13 violence prevention act (18 U.S.C. Sec. 921 et seq.), the Washington  
14 state patrol electronic database, the health care authority  
15 electronic database, the administrative office of the courts, LInX-  
16 NW, and with other agencies or resources as appropriate, to determine  
17 whether the applicant is ineligible under RCW 9.41.040 to possess a  
18 firearm.

19 (3) (a) In any case where the applicant has an outstanding warrant  
20 for his or her arrest from any court of competent jurisdiction for a  
21 felony or misdemeanor, the Washington state patrol firearms  
22 background check program shall advise the dealer that the delivery of  
23 the firearm is delayed. The Washington state patrol firearms  
24 background check program shall confirm the existence of outstanding  
25 warrants after notification of the application to purchase a firearm  
26 is received. Upon confirming that the warrant is valid, the  
27 Washington state patrol firearms background check program will advise  
28 the dealer that transfer of the firearm is denied.

29 (b) In any case where the Washington state patrol firearms  
30 background check program has reasonable grounds based on the  
31 following circumstances: (i) Open criminal charges, (ii) pending  
32 criminal proceedings, (iii) pending commitment proceedings, or (iv)  
33 an arrest for an offense making a person ineligible under RCW  
34 9.41.040 to possess a firearm, if the records of disposition have not  
35 yet been reported or entered sufficiently to determine eligibility to  
36 purchase or receive a firearm, the Washington state patrol firearms  
37 background check program shall notify the dealer that delivery of the  
38 firearm is delayed in order to confirm existing records in this state  
39 or elsewhere or to confirm the identity of the applicant.

1        (4) (a) At the time of applying for the purchase of a firearm, the  
2        (~~(purchaser)~~) applicant shall (~~(sign and deliver to the dealer an~~  
3        ~~application containing)~~) provide the firearm dealer the application  
4        information necessary to submit the background check to the  
5        Washington state patrol background check system, including:

6        (i) His or her full name, residential address, date and place of  
7        birth, race, and gender;

8        (ii) The date and hour of the application;

9        (iii) The applicant's driver's license number or state  
10       identification card number;

11       (iv) The identification number of the applicant's permit to  
12       purchase firearms;

13       (v) A description of the firearm including the make, model,  
14       caliber and if available the manufacturer's number (~~(if available at~~  
15       ~~the time of applying for the purchase of the firearm. If the~~  
16       ~~manufacturer's number is not available at the time of applying for~~  
17       ~~the purchase of a firearm, the application may be processed, but~~  
18       ~~delivery of the firearm to the purchaser may not occur unless the~~  
19       ~~manufacturer's number is recorded on the application by the dealer~~  
20       ~~and transmitted to the Washington state patrol firearms background~~  
21       ~~check program)); and~~

22       (~~(v)~~) (vi) A statement that the (~~(purchaser)~~) applicant is  
23       eligible to purchase and possess a firearm under state and federal  
24       law.

25       (b) The dealer shall provide the applicant with information that  
26       contains two warnings substantially stated as follows:

27       (i) CAUTION: Although state and local laws do not differ, federal  
28       law and state law on the possession of firearms differ. If you are  
29       prohibited by federal law from possessing a firearm, you may be  
30       prosecuted in federal court. State permission to purchase a firearm  
31       is not a defense to a federal prosecution; and

32       (ii) CAUTION: The presence of a firearm in the home has been  
33       associated with an increased risk of death to self and others,  
34       including an increased risk of suicide, death during domestic  
35       violence incidents, and unintentional deaths to children and others.

36       The (~~(purchaser)~~) applicant shall be given a copy of the  
37       department of fish and wildlife pamphlet on the legal limits of the  
38       use of firearms and firearms safety.

1 (c) The dealer shall (~~(, by the end of the business day,)~~)  
2 transmit the information from the application through secure  
3 automated firearms e-check (SAFE) to the Washington state patrol  
4 firearms background check program. (~~(The original application shall~~  
5 ~~be retained by the dealer for six years.)~~)

6 (d) The dealer shall deliver the firearm to the purchaser or  
7 transferee once the requirements and period of time specified in this  
8 chapter are satisfied. The application shall not be denied unless the  
9 purchaser or transferee is not eligible to purchase or possess the  
10 firearm under state or federal law or has not complied with the  
11 requirements of this section.

12 (e) The Washington state patrol firearms background check program  
13 shall retain or destroy applications to purchase a firearm in  
14 accordance with the requirements of 18 U.S.C. Sec. 922.

15 (~~(4)~~) (5) A person who knowingly makes a false statement  
16 regarding identity or eligibility requirements on the application to  
17 purchase a firearm is guilty of false swearing under RCW 9A.72.040.

18 (~~(5)~~) (6) This section does not apply to sales to licensed  
19 dealers for resale or to the sale of antique firearms.

20 NEW SECTION. Sec. 2. A new section is added to chapter 9.41 RCW  
21 to read as follows:

22 (1) A person may apply for a permit to purchase firearms with the  
23 Washington state patrol firearms background check program.

24 (2) An applicant for a permit to purchase firearms must submit to  
25 the Washington state patrol firearms background check program:

26 (a) A completed permit application as provided in subsection (3)  
27 of this section;

28 (b) A complete set of fingerprints taken by the local law  
29 enforcement agency in the jurisdiction in which the applicant  
30 resides;

31 (c) A certificate of completion of a certified firearms safety  
32 training program within the last five years, or proof that the  
33 applicant is exempt from the training requirement, as provided in RCW  
34 9.41.1132; and

35 (d) The permit application fee as provided in subsection (11) of  
36 this section.

37 (3) An application for a permit to purchase firearms must include  
38 the applicant's:

39 (a) Full name and place and date of birth;

1 (b) Residential address and current mailing address if different  
2 from the residential address;

3 (c) Driver's license number or state identification card number;

4 (d) Physical description;

5 (e) Race and gender;

6 (f) Telephone number and email address, at the option of the  
7 applicant; and

8 (g) Electronic signature.

9 (4) The application must contain questions about the applicant's  
10 eligibility to possess firearms under state and federal law and  
11 whether the applicant is a United States citizen. If the applicant is  
12 not a United States citizen, the applicant must provide the  
13 applicant's country of citizenship, United States-issued alien number  
14 or admission number, and the basis on which the applicant claims to  
15 be exempt from federal prohibitions on firearm possession by aliens.  
16 The applicant shall not be required to produce a birth certificate or  
17 other evidence of citizenship. A person who is not a citizen of the  
18 United States shall, if applicable, meet the additional requirements  
19 of RCW 9.41.173 and produce proof of compliance with RCW 9.41.173  
20 upon application.

21 (5) A signed application for a permit to purchase firearms shall  
22 constitute a waiver of confidentiality and written request that  
23 courts, the health care authority, mental health institutions, and  
24 other health care facilities release information relevant to the  
25 applicant's eligibility for a permit to purchase firearms to an  
26 inquiring court or the Washington state patrol firearms background  
27 check program.

28 (6) The Washington state patrol firearms background check program  
29 shall issue a permit to purchase firearms to an eligible applicant,  
30 or deny the completed application, within 30 days of the date the  
31 completed application was filed, or within 60 days of when the  
32 completed application was filed if the applicant does not have a  
33 valid permanent Washington driver's license or Washington state  
34 identification card or has not been a resident of the state for the  
35 previous consecutive 90 days, unless additional time is necessary in  
36 order to obtain all required information and records needed for  
37 determining the applicant's eligibility for the permit.

38 (7)(a) A permit to purchase firearms shall be issued unless the  
39 applicant is disqualified because the applicant:

1 (i) Is prohibited from purchasing or possessing a firearm under  
2 state or federal law;

3 (ii) Is subject to a court order or injunction regarding firearms  
4 pursuant to chapter 7.105 RCW, or RCW 9A.44.210, 9A.46.080,  
5 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.26B.020, or  
6 26.26A.470, or any of the former RCW 10.14.080, 26.10.115, 26.50.060,  
7 and 26.50.070;

8 (iii) Is free on bond or personal recognizance pending trial,  
9 appeal, or sentencing for a felony offense;

10 (iv) Has an outstanding warrant for his or her arrest from any  
11 court of competent jurisdiction for a felony or misdemeanor; or

12 (v) Has failed to produce a certificate of completion of a  
13 certified firearms safety training program within the last five  
14 years, or proof that the applicant is exempt from the training  
15 requirement.

16 (b) If an application for a permit to purchase firearms is  
17 denied, the Washington state patrol firearms background check program  
18 shall send the applicant a written notice of the denial stating the  
19 specific grounds on which the permit to purchase firearms is denied.  
20 If the applicant provides an email address at the time of  
21 application, the Washington state patrol firearms background check  
22 program may send the denial notice to the applicant's email address.

23 (8)(a) In determining whether the applicant is eligible for a  
24 permit to purchase firearms, the Washington state patrol firearms  
25 background check program shall check with the national instant  
26 criminal background check system, the Washington state patrol  
27 electronic database, the health care authority electronic database,  
28 the administrative office of the courts, LInX-NW, and with other  
29 agencies or resources as appropriate.

30 (b) A background check for an original permit must be conducted  
31 through the Washington state patrol criminal records division and  
32 shall include a national check from the federal bureau of  
33 investigation through the submission of fingerprints. The results  
34 will be returned to the Washington state patrol firearms background  
35 check program. The applicant may request and receive a copy of the  
36 results of the background check from the Washington state patrol. If  
37 the applicant seeks to amend or correct their record, the applicant  
38 must contact the Washington state patrol for a Washington state  
39 record or the federal bureau of investigation for records from other  
40 jurisdictions.

1 (9) The Washington state patrol firearms background check program  
2 shall develop procedures to verify on an annual basis that persons  
3 who have been issued a permit to purchase firearms remain eligible to  
4 possess firearms under state and federal law and continue to meet  
5 other firearm eligibility requirements. If a person is determined to  
6 be ineligible, the Washington state patrol firearms background check  
7 program shall revoke the permit under subsection (14) of this  
8 section, and provide notification of the revocation and relevant  
9 information to the chief of police or the sheriff of the jurisdiction  
10 in which the permit holder resides so that local law enforcement may  
11 take steps to ensure the permit holder is not illegally in possession  
12 of firearms.

13 (10) The permit to purchase firearms must be in a form prescribed  
14 by the Washington state patrol firearms background check program and  
15 must contain a unique permit number, expiration date, and the name,  
16 date of birth, residential address, and brief description of the  
17 licensee.

18 (11)(a) A permit to purchase firearms is valid for a period of  
19 five years. A person may renew a permit to purchase firearms by  
20 applying for renewal in accordance with the requirements of this  
21 section within 90 days before or after the expiration date of the  
22 permit. A renewed permit to purchase firearms takes effect on the  
23 expiration date of the prior permit to purchase firearms and is valid  
24 for a period of five years.

25 (b)(i) The Washington state patrol firearms background check  
26 program may charge permit application fees which will cover as nearly  
27 as practicable the direct and indirect costs to the Washington state  
28 patrol incurred in creating and administering the permit to purchase  
29 firearms program. The Washington state patrol firearms background  
30 check program shall establish a late penalty for late renewal of a  
31 permit to purchase firearms. The Washington state patrol firearms  
32 background check program shall transmit the fees collected to the  
33 state treasurer for deposit in the state firearms background check  
34 system account created in RCW 43.43.590.

35 (ii) In addition to the permit application fee, an applicant for  
36 a permit to purchase firearms must pay the fingerprint processing fee  
37 under RCW 43.43.742.

38 (12) The Washington state patrol firearms background check  
39 program shall mail a renewal notice to the holder of a permit to  
40 purchase firearms approximately 90 days before the expiration date of

1 the permit at the address listed on the application, or to the permit  
2 holder's new address if the permit holder has notified the Washington  
3 state patrol firearms background check program of a change of  
4 address. If the permit holder provides an email address at the time  
5 of application, the Washington state patrol firearms background check  
6 program may send the renewal notice to the permit holder's email  
7 address. The notice must contain the date the permit to purchase  
8 firearms will expire, the amount of the renewal fee, the penalty for  
9 late renewal, and instructions on how to renew the permit to purchase  
10 firearms.

11 (13) A permit to purchase firearms issued under this section does  
12 not authorize the holder of the permit to carry a concealed pistol.

13 (14) The Washington state patrol firearms background check  
14 program shall revoke a permit to purchase firearms on the occurrence  
15 of any act or condition that would prevent the issuance of a permit  
16 to purchase firearms. The Washington state patrol firearms background  
17 check program shall send the permit holder a written notice of the  
18 revocation stating the specific grounds on which the permit is  
19 revoked.

20 (15) If a permit application is denied or a permit is revoked, a  
21 person aggrieved by the denial or revocation is entitled to seek  
22 review of the denial or revocation in superior court under section 12  
23 of this act.

24 (16) Not later than one year after the effective date of this  
25 section and annually thereafter, the Washington state patrol firearms  
26 background check program shall submit to the state legislature a  
27 report that includes all of the following information for the  
28 preceding year:

29 (a) The number of permit applications submitted, issued, and  
30 denied;

31 (b) Aggregate and anonymized demographic data on the number of  
32 applicants seeking permits that were issued, including race, gender,  
33 date of birth, and county of residence;

34 (c) Aggregate and anonymized demographic data on the number of  
35 applicants seeking permits that were denied, including race, gender,  
36 date of birth, and county of residence;

37 (d) The frequency with which permits were denied for each of the  
38 statutory disqualifying factors listed in this section;

39 (e) The number of permit denial decisions appealed by permit  
40 applicants and the disposition of those appeals;



- 1 (f) The number of issued permits revoked; and  
2 (g) The number of cases that the Washington state patrol has  
3 provided notice of permit revocations and relevant information to  
4 local law enforcement agencies, and the number of cases that local  
5 law enforcement agencies have taken action to remove firearms  
6 purchased with a permit that was subsequently revoked and the number  
7 of firearms recovered in such cases.

8 **Sec. 3.** RCW 9.41.1132 and 2023 c 161 s 2 are each amended to  
9 read as follows:

10 (1) A person applying for ~~((the purchase or transfer of a~~  
11 ~~firearm))~~ a permit to purchase firearms must provide ~~((proof))~~ a  
12 certificate of completion of a ~~((recognized))~~ certified firearms  
13 safety training program within the last five years that, at a  
14 minimum, includes instruction on:

- 15 (a) Basic firearms safety rules;  
16 (b) Firearms and children, including secure gun storage and  
17 talking to children about gun safety;  
18 (c) Firearms and suicide prevention;  
19 (d) Secure gun storage to prevent unauthorized access and use;  
20 (e) Safe handling of firearms;  
21 (f) State and federal firearms laws, including prohibited  
22 firearms transfers and locations where firearms are prohibited;  
23 (g) State laws pertaining to the use of deadly force for self-  
24 defense; ~~((and))~~  
25 (h) Techniques for avoiding a criminal attack and how to manage a  
26 violent confrontation, including conflict resolution; and  
27 (i) Live-fire shooting exercises on a firing range that include a  
28 demonstration by the applicant of the safe handling of, and shooting  
29 proficiency with, firearms.

30 (2) The training must be sponsored by a federal, state, county,  
31 or municipal law enforcement agency, a college or university, a  
32 nationally recognized organization that customarily offers firearms  
33 training, or a firearms training school with instructors certified by  
34 a nationally recognized organization that customarily offers firearms  
35 training. The ~~((proof))~~ certificate of training shall be in the form  
36 ~~((of a certification that states under the penalty of perjury that~~  
37 ~~the training included the minimum requirements))~~ and manner of  
38 documentation developed by the Washington state patrol under section  
39 4 of this act.

1 (3) The training may include stories provided by individuals with  
2 lived experience in the topics listed in subsection (1)(a) through  
3 (g) of this section or an understanding of the legal and social  
4 impacts of discharging a firearm.

5 (4) The firearms safety training requirement of this section does  
6 not apply to:

7 (a) ((A)) Upon showing proper identification, a person who is  
8 a((~~+~~

9 ~~(i) General)) general authority Washington peace officer, limited  
10 authority Washington peace officer, specially commissioned Washington  
11 peace officer, or federal peace officer, as those terms are defined  
12 in RCW 10.93.020((~~+~~~~

13 ~~(ii) Limited authority Washington peace officer as defined in RCW~~  
14 ~~10.93.020 who as a normal part of their duties has arrest powers and~~  
15 ~~carries a firearm;~~

16 ~~(iii) Specially commissioned Washington peace officer as defined~~  
17 ~~in RCW 10.93.020 who as a normal part of their duties has arrest~~  
18 ~~powers and carries a firearm; or~~

19 ~~(iv) Federal peace officer as defined in RCW 10.93.020 who as a~~  
20 ~~normal part of their duties has arrest powers and carries a~~  
21 ~~firearm)); or~~

22 (b) ((A)) Upon showing proper identification, a person who is an  
23 active duty member of the armed forces of the United States, an  
24 active member of the national guard, or an active member of the armed  
25 forces reserves ((who, as part of the applicant's service, has  
26 completed, within the last five years, a course of training in  
27 firearms proficiency or familiarization that included training on the  
28 safe handling and shooting proficiency with firearms)). For the  
29 purposes of this section, proper identification includes the armed  
30 forces identification card or other written documentation certifying  
31 that the individual is an active military member.

32 NEW SECTION. Sec. 4. A new section is added to chapter 43.43  
33 RCW to read as follows:

34 The Washington state patrol shall establish a program to provide  
35 certifications for firearms safety training programs that meet the  
36 requirements of RCW 9.41.070 and 9.41.1132, and to require certified  
37 firearms safety programs to apply for recertification every five  
38 years. The Washington state patrol shall develop the form and manner  
39 of documentation for applicants for permits to purchase firearms to

1 provide proof of completion of a certified firearms safety training  
2 program, for concealed pistol license applicants to provide proof of  
3 completion of a certified concealed carry firearms safety training  
4 program, and for use as proof of qualifying for an exemption from the  
5 firearms safety training requirement or concealed carry firearms  
6 safety training requirement.

7 **Sec. 5.** RCW 43.43.590 and 2020 c 28 s 3 are each amended to read  
8 as follows:

9 The state firearms background check system account is created in  
10 the custody of the state treasurer. All receipts under RCW 43.43.580  
11 and section 2 of this act must be deposited into the account.  
12 Expenditures from the account may be used only for the creation,  
13 operation, and maintenance of the automated firearms background check  
14 system under RCW 43.43.580, and for costs incurred in administering  
15 the permit to purchase firearms program under section 2 of this act.  
16 Only the chief of the Washington state patrol or the chief's designee  
17 may authorize expenditures from the account. The account is subject  
18 to allotment procedures under chapter 43.88 RCW, but an appropriation  
19 is not required for expenditures.

20 NEW SECTION. **Sec. 6.** A new section is added to chapter 9.41 RCW  
21 to read as follows:

22 A local law enforcement agency taking fingerprints pursuant to  
23 section 2 of this act may charge a reasonable fee to recover as  
24 nearly as practicable the direct and indirect costs to the local law  
25 enforcement agency of taking and transmitting the fingerprints.

26 **Sec. 7.** RCW 9.41.047 and 2024 c 290 s 1 are each amended to read  
27 as follows:

28 (1)(a) At the time a person is convicted or found not guilty by  
29 reason of insanity of an offense making the person ineligible to  
30 possess a firearm under state or federal law, including if the person  
31 was convicted of possession under RCW 69.50.4011, 69.50.4013,  
32 69.50.4014, or 69.41.030, or at the time a person is committed by  
33 court order under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, or  
34 chapter 10.77 RCW for treatment for a mental disorder, or at the time  
35 that charges are dismissed based on incompetency to stand trial under  
36 RCW 10.77.086, or the charges are dismissed based on incompetency to  
37 stand trial under RCW 10.77.088 and the court makes a finding that

1 the person has a history of one or more violent acts, the court shall  
2 notify the person, orally and in writing, that the person must  
3 immediately surrender all firearms to their local law enforcement  
4 agency and any concealed pistol license and that the person may not  
5 possess a firearm unless the person's right to do so is restored by  
6 the superior court that issued the order.

7 (b) The court shall forward within three judicial days following  
8 conviction or finding of not guilty by reason of insanity a copy of  
9 the person's driver's license or identicard, or comparable  
10 information such as the person's name, address, and date of birth,  
11 along with the date of conviction or finding of not guilty by reason  
12 of insanity, to the department of licensing and to the Washington  
13 state patrol firearms background check program.

14 (c) The court shall forward within three judicial days following  
15 commitment by court order under RCW 71.05.240, 71.05.320, 71.34.740,  
16 71.34.750, or chapter 10.77 RCW, for treatment for a mental disorder,  
17 or upon dismissal of charges based on incompetency to stand trial  
18 under RCW 10.77.086, or the charges are dismissed based on  
19 incompetency to stand trial under RCW 10.77.088 when the court makes  
20 a finding that the person has a history of one or more violent acts,  
21 a copy of the person's driver's license or identicard, or comparable  
22 information such as the person's name, address, and date of birth,  
23 along with the date of commitment or date charges are dismissed, to  
24 the national instant criminal background check system index, denied  
25 persons file, created by the federal Brady handgun violence  
26 prevention act (P.L. 103-159), and to the department of licensing,  
27 Washington state patrol firearms background check program, and the  
28 criminal division of the county prosecutor in the county of  
29 commitment or the county in which charges are dismissed. The  
30 petitioning party shall provide the court with the information  
31 required. If more than one commitment order is entered under one  
32 cause number, only one notification to the national instant criminal  
33 background check system, the department of licensing, the Washington  
34 state patrol firearms background check program, and the criminal  
35 division of the county prosecutor in the county of commitment or  
36 county in which charges are dismissed is required.

37 (2)(a) Upon receipt of the information provided in subsection (1)  
38 of this section, the Washington state patrol firearms background  
39 check program shall determine if the convicted or committed person,  
40 or the person whose charges are dismissed based on incompetency to

1 stand trial, has a permit to purchase firearms. If the person does  
2 have a permit to purchase firearms, the Washington state patrol  
3 firearms background check program shall immediately revoke the  
4 permit.

5 (b) Upon receipt of the information provided for by subsection  
6 (1) of this section, the department of licensing shall determine if  
7 the person has a concealed pistol license. If the person has a  
8 concealed pistol license, the department of licensing shall  
9 immediately notify the license-issuing authority which, upon receipt  
10 of such notification, shall immediately revoke the license.

11 (3)(a) A person who is prohibited from possessing a firearm, by  
12 reason of having been involuntarily committed for treatment for a  
13 mental disorder under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750,  
14 chapter 10.77 RCW, or equivalent statutes of another jurisdiction, or  
15 by reason of having been detained under RCW 71.05.150 or 71.05.153,  
16 or because the person's charges were dismissed based on incompetency  
17 to stand trial under RCW 10.77.086, or the charges were dismissed  
18 based on incompetency to stand trial under RCW 10.77.088 and the  
19 court made a finding that the person has a history of one or more  
20 violent acts, may, upon discharge, petition the superior court to  
21 have his or her right to possess a firearm restored, except that a  
22 person found not guilty by reason of insanity may not petition for  
23 restoration of the right to possess a firearm until one year after  
24 discharge.

25 (b) The petition must be brought in the superior court that  
26 ordered the involuntary commitment or dismissed the charges based on  
27 incompetency to stand trial or the superior court of the county in  
28 which the petitioner resides.

29 (c) Except as provided in (d) and (e) of this subsection, firearm  
30 rights shall be restored if the person petitioning for restoration of  
31 firearm rights proves by a preponderance of the evidence that:

32 (i) The person petitioning for restoration of firearm rights is  
33 no longer required to participate in court-ordered inpatient or  
34 outpatient treatment;

35 (ii) The person petitioning for restoration of firearm rights has  
36 successfully managed the condition related to the commitment or  
37 detention or incompetency;

38 (iii) The person petitioning for restoration of firearm rights no  
39 longer presents a substantial danger to self or to the public;

1 (iv) The symptoms related to the commitment or detention or  
2 incompetency are not reasonably likely to recur; and

3 (v) There is no active extreme risk protection order or order to  
4 surrender and prohibit weapons entered against the petitioner.

5 (d) If a preponderance of the evidence in the record supports a  
6 finding that the person petitioning for restoration of firearm rights  
7 has engaged in violence and that it is more likely than not that the  
8 person will engage in violence after the person's right to possess a  
9 firearm is restored, the person petitioning for restoration of  
10 firearm rights shall bear the burden of proving by clear, cogent, and  
11 convincing evidence that the person does not present a substantial  
12 danger to the safety of others.

13 (e) If the person seeking restoration of firearm rights seeks  
14 restoration after having been detained under RCW 71.05.150 or  
15 71.05.153, the state shall bear the burden of proof to show, by a  
16 preponderance of the evidence, that the person does not meet the  
17 restoration criteria in (c) of this subsection.

18 (f) When a person's right to possess a firearm has been restored  
19 under this subsection, the court shall forward, within three judicial  
20 days after entry of the restoration order, notification that the  
21 person's right to possess a firearm has been restored to the  
22 department of licensing and the Washington state patrol criminal  
23 records division, with a copy of the person's driver's license or  
24 identicard, or comparable identification such as the person's name,  
25 address, and date of birth, and to the health care authority, and the  
26 national instant criminal background check system index, denied  
27 persons file. In the case of a person whose right to possess a  
28 firearm has been suspended for six months as provided in RCW  
29 71.05.182, the department of licensing shall forward notification of  
30 the restoration order to the licensing authority, which, upon receipt  
31 of such notification, shall immediately lift the suspension,  
32 restoring the person's concealed pistol license.

33 (4) No person who has been found not guilty by reason of insanity  
34 may petition a court for restoration of the right to possess a  
35 firearm unless the person meets the requirements for the restoration  
36 of the right to possess a firearm under RCW 9.41.041.

37 **Sec. 8.** RCW 9.41.070 and 2021 c 215 s 94 are each amended to  
38 read as follows:

1 (1) The chief of police of a municipality or the sheriff of a  
2 county shall within thirty days after the filing of an application of  
3 any person, issue a license to such person to carry a pistol  
4 concealed on his or her person within this state for five years from  
5 date of issue, for the purposes of protection or while engaged in  
6 business, sport, or while traveling. However, if the applicant does  
7 not have a valid permanent Washington driver's license or Washington  
8 state identification card or has not been a resident of the state for  
9 the previous consecutive ninety days, the issuing authority shall  
10 have up to sixty days after the filing of the application to issue a  
11 license. The issuing authority shall not refuse to accept completed  
12 applications for concealed pistol licenses during regular business  
13 hours.

14 (~~The applicant's constitutional right to bear arms shall not be~~  
15 ~~denied, unless~~) A concealed pistol license application shall be  
16 issued unless the applicant is disqualified for any of the following  
17 reasons:

18 (a) He or she is ineligible to possess a firearm under the  
19 provisions of RCW 9.41.040 or 9.41.045, or is prohibited from  
20 possessing a firearm under federal law;

21 (b) The applicant's concealed pistol license is in a revoked  
22 status;

23 (c) He or she is under twenty-one years of age;

24 (d) He or she is subject to a court order or injunction regarding  
25 firearms pursuant to chapter 7.105 RCW, or RCW 9A.46.080, 10.99.040,  
26 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.26B.020, or  
27 26.26A.470, or any of the former RCW 10.14.080, 26.10.115, 26.50.060,  
28 and 26.50.070;

29 (e) He or she is free on bond or personal recognizance pending  
30 trial, appeal, or sentencing for a felony offense;

31 (f) He or she has an outstanding warrant for his or her arrest  
32 from any court of competent jurisdiction for a felony or misdemeanor;  
33 (~~or~~)

34 (g) He or she has been ordered to forfeit a firearm under RCW  
35 9.41.098(1)(e) within one year before filing an application to carry  
36 a pistol concealed on his or her person; or

37 (h) He or she has failed to produce a certificate of completion  
38 from a certified concealed carry firearms safety training program, as  
39 provided under subsection (5) of this section and section 4 of this

1 act, or proof that the applicant is exempt from the training  
2 requirement.

3 No person convicted of a felony may have his or her right to  
4 possess firearms restored or his or her privilege to carry a  
5 concealed pistol restored, unless the person has been granted relief  
6 from disabilities by the attorney general under 18 U.S.C. Sec.  
7 925(c), or RCW 9.41.040 (3) or (4) applies.

8 (2)(a) The issuing authority shall conduct a check through the  
9 national instant criminal background check system, the Washington  
10 state patrol electronic database, the administrative office of the  
11 courts, LInX-NW, the health care authority electronic database, and  
12 with other agencies or resources as appropriate, to determine whether  
13 the applicant is ineligible under RCW 9.41.040 or 9.41.045 to possess  
14 a firearm, or is prohibited from possessing a firearm under federal  
15 or state law, and therefore ineligible for a concealed pistol  
16 license.

17 (b) The issuing authority shall deny a (~~permit~~) license to  
18 anyone who is found to be prohibited from possessing a firearm under  
19 federal or state law or otherwise disqualified from obtaining a  
20 concealed pistol license under the requirements of this section.

21 (c) (a) and (b) of this subsection apply whether the applicant is  
22 applying for a new concealed pistol license or to renew a concealed  
23 pistol license.

24 (d) A background check for an original license must be conducted  
25 through the Washington state patrol criminal identification section  
26 and shall include a national check from the federal bureau of  
27 investigation through the submission of fingerprints. The results  
28 will be returned to the issuing authority. The applicant may request  
29 and receive a copy of the results of the background check from the  
30 issuing authority. If the applicant seeks to amend or correct their  
31 record, the applicant must contact the Washington state patrol for a  
32 Washington state record or the federal bureau of investigation for  
33 records from other jurisdictions. An applicant presenting a valid  
34 permit to purchase firearms is exempt from the fingerprint check  
35 requirement in a concealed pistol license application.

36 (e) If an application for a concealed pistol license is denied,  
37 the issuing authority shall send the applicant a written notice of  
38 the denial stating the specific grounds on which the application is  
39 denied. If the applicant provides an email address at the time of



1 application, the issuing authority may send the denial notice to the  
2 applicant's email address.

3 (3) Any person whose firearms rights have been restricted and who  
4 has been granted relief from disabilities by the attorney general  
5 under 18 U.S.C. Sec. 925(c) or who is exempt under 18 U.S.C. Sec.  
6 921(a)(20)(A) shall have his or her right to acquire, receive,  
7 transfer, ship, transport, carry, and possess firearms in accordance  
8 with Washington state law restored except as otherwise prohibited by  
9 this chapter.

10 (4) The license application shall bear the full name, residential  
11 address, telephone number at the option of the applicant, email  
12 address at the option of the applicant, date and place of birth,  
13 race, gender, physical description, a complete set of fingerprints  
14 unless the applicant presents a valid permit to purchase firearms  
15 issued under section 2 of this act, ((and)) signature of the  
16 licensee, and the licensee's driver's license number or state  
17 identification card number if used for identification in applying for  
18 the license. A signed application for a concealed pistol license  
19 shall constitute a waiver of confidentiality and written request that  
20 the health care authority, mental health institutions, and other  
21 health care facilities release information relevant to the  
22 applicant's eligibility for a concealed pistol license to an  
23 inquiring court or law enforcement agency.

24 The application for an original license shall include a complete  
25 set of fingerprints to be forwarded to the Washington state patrol  
26 unless the applicant presents a valid permit to purchase firearms  
27 issued under section 2 of this act.

28 The license and application shall contain a warning substantially  
29 as follows:

30 CAUTION: Although state and local laws do not differ, federal  
31 law and state law on the possession of firearms differ. If  
32 you are prohibited by federal law from possessing a firearm,  
33 you may be prosecuted in federal court. A state license is  
34 not a defense to a federal prosecution.

35 The license shall contain a description of the major differences  
36 between state and federal law and an explanation of the fact that  
37 local laws and ordinances on firearms are preempted by state law and  
38 must be consistent with state law.

1 The application shall contain questions about the applicant's  
2 eligibility under RCW 9.41.040 and federal law to possess a pistol,  
3 the applicant's place of birth, and whether the applicant is a United  
4 States citizen. If the applicant is not a United States citizen, the  
5 applicant must provide the applicant's country of citizenship, United  
6 States issued alien number or admission number, and the basis on  
7 which the applicant claims to be exempt from federal prohibitions on  
8 firearm possession by aliens. The applicant shall not be required to  
9 produce a birth certificate or other evidence of citizenship. A  
10 person who is not a citizen of the United States shall, if  
11 applicable, meet the additional requirements of RCW 9.41.173 and  
12 produce proof of compliance with RCW 9.41.173 upon application. The  
13 license may be in triplicate or in a form to be prescribed by the  
14 department of licensing.

15 A photograph of the applicant may be required as part of the  
16 application and printed on the face of the license.

17 The original thereof shall be delivered to the licensee, the  
18 duplicate shall within seven days be sent to the director of  
19 licensing and the triplicate shall be preserved for six years, by the  
20 authority issuing the license.

21 The department of licensing shall make available to law  
22 enforcement and corrections agencies, in an online format, all  
23 information received under this subsection.

24 (5)(a) The training required for issuance of a license under this  
25 section must be from a concealed carry firearms safety training  
26 program certified under section 4 of this act that includes live-fire  
27 shooting exercises on a firing range that include a demonstration by  
28 the applicant of the safe handling of, and shooting proficiency with,  
29 firearms, including a minimum of 50 rounds of ammunition firing  
30 training at a firing range under the supervision of an instructor.

31 (b) Concealed pistol license applicants are exempt from the  
32 training requirement in this section if they can demonstrate they are  
33 exempt under RCW 9.41.1132(4).

34 (6)(a) The nonrefundable fee, paid upon application, for the  
35 original five-year license shall be thirty-six dollars plus  
36 additional charges imposed by the federal bureau of investigation  
37 that are passed on to the applicant. No other state or local branch  
38 or unit of government may impose any additional charges on the  
39 applicant for the issuance of the license.

40 The fee shall be distributed as follows:

1       ~~((a))~~ (i) Fifteen dollars shall be paid to the state general  
2 fund;

3       ~~((b))~~ (ii) Four dollars shall be paid to the agency taking the  
4 fingerprints of the person licensed;

5       ~~((c))~~ (iii) Fourteen dollars shall be paid to the issuing  
6 authority for the purpose of enforcing this chapter;

7       ~~((d))~~ (iv) Two dollars and sixteen cents to the firearms range  
8 account in the general fund; and

9       ~~((e))~~ (v) Eighty-four cents to the concealed pistol license  
10 renewal notification account created in RCW 43.79.540.

11       ~~((6))~~ (b) The nonrefundable fee for the renewal of such license  
12 shall be thirty-two dollars. No other branch or unit of government  
13 may impose any additional charges on the applicant for the renewal of  
14 the license.

15       The renewal fee shall be distributed as follows:

16       ~~((a))~~ (i) Fifteen dollars shall be paid to the state general  
17 fund;

18       ~~((b))~~ (ii) Fourteen dollars shall be paid to the issuing  
19 authority for the purpose of enforcing this chapter;

20       ~~((c))~~ (iii) Two dollars and sixteen cents to the firearms range  
21 account in the general fund; and

22       ~~((d))~~ (iv) Eighty-four cents to the concealed pistol license  
23 renewal notification account created in RCW 43.79.540.

24       ~~((7))~~ (c) The nonrefundable fee for replacement of lost or  
25 damaged licenses is ten dollars to be paid to the issuing authority.

26       ~~((8))~~ (d) Payment shall be by cash, check, or money order at  
27 the option of the applicant. Additional methods of payment may be  
28 allowed at the option of the issuing authority.

29       ~~((9))~~ (7)(a) A licensee may renew a license if the licensee  
30 applies for renewal within ninety days before or after the expiration  
31 date of the license. A license so renewed shall take effect on the  
32 expiration date of the prior license. A licensee renewing after the  
33 expiration date of the license must pay a late renewal penalty of ten  
34 dollars in addition to the renewal fee specified in subsection (6) of  
35 this section. The fee shall be distributed as follows:

36       (i) Three dollars shall be deposited in the limited fish and  
37 wildlife account and used exclusively first for the printing and  
38 distribution of a pamphlet on the legal limits of the use of  
39 firearms, firearms safety, and the preemptive nature of state law,  
40 and subsequently the support of volunteer instructors in the basic

1 firearms safety training program conducted by the department of fish  
2 and wildlife. The pamphlet shall be given to each applicant for a  
3 license; and

4 (ii) Seven dollars shall be paid to the issuing authority for the  
5 purpose of enforcing this chapter.

6 (b) Beginning with concealed pistol licenses that expire on or  
7 after August 1, 2018, the department of licensing shall mail a  
8 renewal notice approximately ninety days before the license  
9 expiration date to the licensee at the address listed on the  
10 concealed pistol license application, or to the licensee's new  
11 address if the licensee has notified the department of licensing of a  
12 change of address. Alternatively, if the licensee provides an email  
13 address at the time of license application, the department of  
14 licensing may send the renewal notice to the licensee's email  
15 address. The notice must contain the date the concealed pistol  
16 license will expire, the amount of renewal fee, the penalty for late  
17 renewal, and instructions on how to renew the license.

18 ~~((10))~~ (8) Notwithstanding the requirements of subsections (1)  
19 through ~~((9))~~ (7) of this section, the chief of police of the  
20 municipality or the sheriff of the county of the applicant's  
21 residence may issue a temporary emergency license for good cause  
22 pending review under subsection (1) of this section. However, a  
23 temporary emergency license issued under this subsection shall not  
24 exempt the holder of the license from any records check requirement.  
25 Temporary emergency licenses shall be easily distinguishable from  
26 regular licenses.

27 ~~((11))~~ (9) A political subdivision of the state shall not  
28 modify the requirements of this section or chapter, nor may a  
29 political subdivision ask the applicant to voluntarily submit any  
30 information not required by this section.

31 ~~((12))~~ (10) A person who knowingly makes a false statement  
32 regarding citizenship or identity on an application for a concealed  
33 pistol license is guilty of false swearing under RCW 9A.72.040. In  
34 addition to any other penalty provided for by law, the concealed  
35 pistol license of a person who knowingly makes a false statement  
36 shall be revoked, and the person shall be permanently ineligible for  
37 a concealed pistol license.

38 ~~((13))~~ (11) A person may apply for a concealed pistol license:

39 (a) To the municipality or to the county in which the applicant  
40 resides if the applicant resides in a municipality;

1 (b) To the county in which the applicant resides if the applicant  
2 resides in an unincorporated area; or

3 (c) Anywhere in the state if the applicant is a nonresident.

4 (~~(14)~~) (12) Any person who, as a member of the armed forces,  
5 including the national guard and armed forces reserves, is unable to  
6 renew his or her license under (~~subsections (6) and (9)~~) subsection  
7 (7) of this section because of the person's assignment, reassignment,  
8 or deployment for out-of-state military service may renew his or her  
9 license within ninety days after the person returns to this state  
10 from out-of-state military service, if the person provides the  
11 following to the issuing authority no later than ninety days after  
12 the person's date of discharge or assignment, reassignment, or  
13 deployment back to this state: (a) A copy of the person's original  
14 order designating the specific period of assignment, reassignment, or  
15 deployment for out-of-state military service, and (b) if appropriate,  
16 a copy of the person's discharge or amended or subsequent assignment,  
17 reassignment, or deployment order back to this state. A license  
18 (~~se~~) renewed under this subsection (~~(14)~~) shall take effect on  
19 the expiration date of the prior license. A licensee renewing after  
20 the expiration date of the license under this subsection (~~(14)~~)  
21 shall pay only the renewal fee specified in subsection (6) of this  
22 section and shall not be required to pay a late renewal penalty in  
23 addition to the renewal fee.

24 (~~(15)~~) (13) (a) By October 1, 2019, law enforcement agencies  
25 that issue concealed pistol licenses shall develop and implement a  
26 procedure for the renewal of concealed pistol licenses through a mail  
27 application process, and may develop an online renewal application  
28 process, for any person who, as a member of the armed forces,  
29 including the national guard and armed forces reserves, is unable to  
30 renew his or her license under (~~subsections (6) and (9)~~) subsection  
31 (7) of this section because of the person's assignment, reassignment,  
32 or deployment for out-of-state military service.

33 (b) A person applying for a license renewal under this subsection  
34 shall:

35 (i) Provide a copy of the person's original order designating the  
36 specific period of assignment, reassignment, or deployment for out-  
37 of-state military service;

38 (ii) Apply for renewal within ninety days before or after the  
39 expiration date of the license; and

1 (iii) Pay the renewal licensing fee under subsection (6) of this  
2 section, and, if applicable, the late renewal penalty under  
3 subsection (~~(+9)~~) (7) of this section.

4 (c) A license renewed under this subsection takes effect on the  
5 expiration date of the prior license and is valid for a period of one  
6 year.

7 (14) A person aggrieved by the denial of their application for a  
8 concealed pistol license may seek review of the denial in superior  
9 court under section 12 of this act.

10 (15) Not later than one year after the effective date of this  
11 section and annually thereafter, issuing authorities shall submit  
12 aggregate license application data as set forth in this section to  
13 the Washington state patrol firearms background check program for  
14 statewide analysis of the uniformity of the licensing system and any  
15 potential demographic disparities. Not later than 18 months after the  
16 effective date of this section and annually thereafter, the  
17 Washington state patrol firearms background check program shall  
18 submit to the state legislature a report that includes all of the  
19 following information, to the extent available, regarding concealed  
20 pistol licenses for the preceding year:

21 (a) The number of license applications submitted, issued, and  
22 denied;

23 (b) Aggregate and anonymized demographic data on the number of  
24 applicants seeking licenses that were issued, including race, gender,  
25 date of birth, and county of residence;

26 (c) Aggregate and anonymized demographic data on the number of  
27 applicants seeking licenses that were denied, including race, gender,  
28 date of birth, and county of residence;

29 (d) The frequency with which licenses were denied for each of the  
30 statutory disqualifying factors listed in this section;

31 (e) The number of license denial decisions appealed by license  
32 applicants and the disposition of those appeals;

33 (f) The number of issued licenses revoked; and

34 (g) Information on the barriers, if any, to compiling and  
35 analyzing the information listed in (a) through (f) of this  
36 subsection.

37 **Sec. 9.** RCW 9.41.075 and 2021 c 215 s 73 are each amended to  
38 read as follows:

1 (1) The license shall be revoked by a law enforcement agency  
2 immediately upon:

3 (a) Discovery by the law enforcement agency that the licensee was  
4 ineligible under RCW 9.41.070 for a concealed pistol license when  
5 applying for the license or license renewal or has become ineligible  
6 after the license was issued;

7 (b) Conviction of the licensee, or the licensee being found not  
8 guilty by reason of insanity, of an offense, or commitment of the  
9 licensee for mental health treatment, that makes a person ineligible  
10 under RCW 9.41.040 to possess a firearm;

11 (c) Conviction of the licensee for a third violation of this  
12 chapter within five calendar years;

13 (d) An order that the licensee forfeit a firearm under RCW  
14 9.41.098(1)(d); or

15 (e) The law enforcement agency's receipt of an order to surrender  
16 and prohibit weapons or an extreme risk protection order, other than  
17 an ex parte temporary protection order, issued against the licensee.

18 (2)(a) Unless the person may lawfully possess a pistol without a  
19 concealed pistol license, an ineligible person to whom a concealed  
20 pistol license was issued shall, within 14 days of license  
21 revocation, lawfully transfer ownership of any pistol acquired while  
22 the person was in possession of the license.

23 (b) Upon discovering a person issued a concealed pistol license  
24 was ineligible for the license, the law enforcement agency shall  
25 contact the department of licensing to determine whether the person  
26 purchased a pistol while in possession of the license. If the person  
27 did purchase a pistol while in possession of the concealed pistol  
28 license, if the person may not lawfully possess a pistol without a  
29 concealed pistol license, the law enforcement agency shall require  
30 the person to present satisfactory evidence of having lawfully  
31 transferred ownership of the pistol. The law enforcement agency shall  
32 require the person to produce the evidence within 15 days of the  
33 revocation of the license.

34 (3) When a licensee is ordered to forfeit a firearm under RCW  
35 9.41.098(1)(d), the law enforcement agency shall:

36 (a) On the first forfeiture, revoke the license for one year;

37 (b) On the second forfeiture, revoke the license for two years;

38 or

39 (c) On the third or subsequent forfeiture, revoke the license for  
40 five years.

1 Any person whose license is revoked as a result of a forfeiture  
2 of a firearm under RCW 9.41.098(1)(d) may not reapply for a new  
3 license until the end of the revocation period.

4 (4) The law enforcement agency shall notify, in writing, the  
5 department of licensing of the revocation of a license. The  
6 department of licensing shall record the revocation.

7 (5) A person aggrieved by a revocation of their concealed pistol  
8 license is entitled to seek review of the denial in superior court  
9 under section 12 of this act.

10 **Sec. 10.** RCW 9.41.097 and 2023 c 161 s 6 are each amended to  
11 read as follows:

12 (1) The health care authority, mental health institutions, and  
13 other health care facilities shall, upon request of a court, law  
14 enforcement agency, or the state, supply such relevant information as  
15 is necessary to determine the eligibility of a person to possess a  
16 firearm, to be issued a permit to purchase firearms under section 2  
17 of this act or a concealed pistol license under RCW 9.41.070, or to  
18 purchase a firearm under RCW 9.41.090.

19 (2) Mental health information received by: (a) The department of  
20 licensing pursuant to RCW 9.41.047 or 9.41.173; (b) an issuing  
21 authority pursuant to RCW 9.41.047 or 9.41.070; (c) a chief of police  
22 or sheriff pursuant to RCW 9.41.090 or 9.41.173; (d) a court or law  
23 enforcement agency pursuant to subsection (1) of this section; or (e)  
24 the Washington state patrol firearms background check program  
25 pursuant to RCW 9.41.090, shall not be disclosed except as provided  
26 in RCW 42.56.240(4).

27 **Sec. 11.** RCW 9.41.0975 and 2023 c 161 s 7 are each amended to  
28 read as follows:

29 (1) The state, local governmental entities, any public or private  
30 agency, and the employees of any state or local governmental entity  
31 or public or private agency, acting in good faith, are immune from  
32 liability:

33 (a) For failure to prevent the sale or transfer of a firearm to a  
34 person whose receipt or possession of the firearm is unlawful;

35 (b) For preventing the sale or transfer of a firearm to a person  
36 who may lawfully receive or possess a firearm;



1 (c) For issuing a permit to purchase firearms, concealed pistol  
2 license, or alien firearm license to a person ineligible for such a  
3 license;

4 (d) For failing to issue a permit to purchase firearms, concealed  
5 pistol license, or alien firearm license to a person eligible for  
6 such a license;

7 (e) For revoking or failing to revoke an issued permit to  
8 purchase firearms, concealed pistol license, or alien firearm  
9 license;

10 (f) For errors in preparing or transmitting information as part  
11 of determining a person's eligibility to receive or possess a  
12 firearm, or eligibility for a permit to purchase firearms, concealed  
13 pistol license, or alien firearm license;

14 (g) For issuing a dealer's license to a person ineligible for  
15 such a license; or

16 (h) For failing to issue a dealer's license to a person eligible  
17 for such a license.

18 (2) An application may be made to a court of competent  
19 jurisdiction for a writ of mandamus:

20 (a) Directing an issuing agency to issue (~~(a concealed pistol~~  
21 ~~license or~~) an alien firearm license wrongfully refused;

22 (b) (~~Directing the Washington state patrol firearms background~~  
23 ~~check program to approve an application to purchase a firearm~~  
24 ~~wrongfully denied;~~

25 ~~(e))~~ Directing that erroneous information resulting either in  
26 the wrongful refusal to issue a permit to purchase firearms,  
27 concealed pistol license, or alien firearm license or in the wrongful  
28 denial of a purchase application for a firearm be corrected; or

29 (~~(d))~~ (c) Directing a law enforcement agency to approve a  
30 dealer's license wrongfully denied.

31 The application for the writ may be made in the county in which  
32 the application for a permit to purchase firearms, concealed pistol  
33 license, or alien firearm license or an application to purchase a  
34 firearm was made, or in Thurston county, at the discretion of the  
35 petitioner. A court shall provide an expedited hearing for an  
36 application brought under this subsection (2) for a writ of mandamus.  
37 A person granted a writ of mandamus under this subsection (2) shall  
38 be awarded reasonable attorneys' fees and costs.

1        NEW SECTION.    **Sec. 12.**    A new section is added to chapter 9.41  
2    RCW to read as follows:

3        (1) A person aggrieved by the denial or revocation of a permit to  
4    purchase firearms or the denial of a purchase application for a  
5    firearm may appeal by petition to the superior court having  
6    jurisdiction over the county or municipality where the applicant  
7    resides. The petition must be made within 30 days of the denial of  
8    the permit application or application to purchase firearms and a copy  
9    must be delivered to the Washington state patrol firearms background  
10   check program. The superior court must hold a hearing at the earliest  
11   practicable date and no later than 30 days following the filing of  
12   the petition for review. A filing fee is not required to obtain a  
13   hearing under this section. The matter must be heard de novo without  
14   a jury and the court must include written findings of fact and  
15   conclusions of law in its ruling.

16        (2) A person aggrieved by the denial or revocation of a concealed  
17   pistol license may appeal by petition to the superior court having  
18   jurisdiction over the county or municipality where the applicant  
19   resides. The petition must be made within 30 days of the denial of  
20   the concealed pistol license application and a copy of the petition  
21   must be delivered to the applicable police chief or sheriff of the  
22   local law enforcement agency that denied the license application. The  
23   superior court must hold a hearing at the earliest practicable date  
24   and no later than 30 days following the filing of the petition for  
25   review. A filing fee is not required to obtain a hearing under this  
26   section. The matter must be heard de novo without a jury and the  
27   court must include written findings of fact and conclusions of law in  
28   its ruling.

29        **Sec. 13.**    RCW 9.41.110 and 2024 c 288 s 1 are each amended to  
30    read as follows:

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

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

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

5 (4) The duly constituted licensing authorities of any city, town,  
6 or political subdivision of this state shall grant licenses in forms  
7 prescribed by the director of licensing effective for not more than  
8 one year from the date of issue permitting the licensee to sell  
9 firearms within this state subject to the following conditions, for  
10 breach of any of which the license shall be forfeited and the  
11 licensee subject to punishment as provided in this chapter. A  
12 licensing authority shall forward a copy of each license granted to  
13 the department of licensing. The department of licensing shall notify  
14 the department of revenue of the name and address of each dealer  
15 licensed under this section. Any law enforcement agency acting within  
16 the scope of its jurisdiction may investigate a breach of the  
17 licensing conditions established in this chapter.

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

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

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

5 (7) (a) Except as otherwise provided in (b) of this subsection,  
6 the business shall be carried on only in the building designated in  
7 the license. For the purpose of this section, advertising firearms  
8 for sale shall not be considered the carrying on of business.

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

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

25 (8) The license or a copy thereof, certified by the issuing  
26 authority, shall be displayed on the premises in the area where  
27 firearms are sold, or at the temporary location, where it can easily  
28 be read.

29 (9) (a) The business building location designated in the license  
30 shall be secured:

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

34 (A) Bars or grates;

35 (B) Security screens; or

36 (C) Commercial grade metal doors; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 (vii) Recorded images shall clearly and accurately display the  
9 date and time;

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

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

16 (i) A dealer shall allow access to the system or release  
17 recordings to any person pursuant to search warrant or other court  
18 order.

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

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

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

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

34 (12) A dealer shall:

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

39 (b) Promptly notify local law enforcement agencies and the bureau  
40 of alcohol, tobacco, firearms and explosives of any loss, theft, or

1 unlawful transfer of any firearm or ammunition as soon as practicably  
2 possible and no later than 24 hours after the dealer knows or should  
3 know of the reportable event.

4 (13) A dealer shall:

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

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

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

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

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

30 (f) Maintain for six years copies of trace requests received,  
31 including notations for trace requests received by phone for six  
32 years;

33 (g) Provide annual reporting to the Washington state attorney  
34 general concerning trace requests, including at a minimum the  
35 following:

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

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

39 (iii) Whether the dealer was inspected by the bureau of alcohol,  
40 tobacco, firearms and explosives, and copies of any reports of

1 violations or letters received from the bureau of alcohol, tobacco,  
2 firearms and explosives.

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

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

8 (16)(a) No firearm may be sold or transferred: (i) In violation  
9 of any provisions of this chapter; nor (ii) under any circumstances  
10 unless the purchaser or transferee is personally known to the dealer  
11 or shall present clear evidence of his or her identity and the  
12 purchaser or transferee presents a valid permit to purchase firearms.

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

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

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

38 (b) The dealer shall transmit the information from the firearm  
39 transfer application, and the information from the sale or transfer  
40 record, through secure automated firearms e-check (SAFE) to the



1 Washington state patrol firearms background check program. The  
2 Washington state patrol firearms background check program shall  
3 transmit the application information for (~~pistol and semiautomatic~~  
4 ~~assault rifle~~) firearm transfer applications and firearm sale or  
5 transfer records to the director of licensing daily. (~~The original~~  
6 ~~application shall be retained by the dealer for six years.~~)

7 (18) Subsections (2) through (17) of this section shall not apply  
8 to sales at wholesale.

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

15 (20) The dealer's licenses authorized to be issued by this  
16 section are general licenses covering all sales by the licensee  
17 within the effective period of the licenses. The department shall  
18 provide a single application form for dealer's licenses and a single  
19 license form which shall indicate the type or types of licenses  
20 granted.

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

25 **Sec. 14.** RCW 9.41.129 and 2019 c 3 s 14 are each amended to read  
26 as follows:

27 The department of licensing shall keep copies or records of  
28 applications for concealed pistol licenses provided for in RCW  
29 9.41.070, copies or records of applications for alien firearm  
30 licenses, copies or records of applications (~~(to)~~) for the purchase  
31 (~~(pistols or semiautomatic assault rifles)~~) or transfer of firearms  
32 provided for in RCW 9.41.090, and copies or records of (~~pistol or~~  
33 ~~semiautomatic assault rifle~~) firearm transfers provided for in RCW  
34 9.41.110. The copies and records shall not be disclosed except as  
35 provided in RCW 42.56.240(4).

36 **Sec. 15.** RCW 9.41.270 and 1994 sp.s. c 7 s 426 are each amended  
37 to read as follows:

1 (1) It shall be unlawful for any person to carry, exhibit,  
2 display, or draw any firearm, dagger, sword, knife or other cutting  
3 or stabbing instrument, club, or any other weapon apparently capable  
4 of producing bodily harm, in a manner, under circumstances, and at a  
5 time and place that either manifests an intent to intimidate another  
6 or that warrants alarm for the safety of other persons.

7 (2) Any person violating the provisions of subsection (1) above  
8 shall be guilty of a gross misdemeanor. If any person is convicted of  
9 a violation of subsection (1) of this section, the person shall lose  
10 his or her concealed pistol license and permit to purchase firearms,  
11 if any. The court shall send notice of the required revocation of any  
12 concealed pistol license to the department of licensing, and the  
13 city, town, or county which issued the license, and notice of the  
14 required revocation of any permit to purchase firearms to the  
15 Washington state patrol firearms background check program.

16 (3) Subsection (1) of this section shall not apply to or affect  
17 the following:

18 (a) Any act committed by a person while in his or her place of  
19 abode or fixed place of business;

20 (b) Any person who by virtue of his or her office or public  
21 employment is vested by law with a duty to preserve public safety,  
22 maintain public order, or to make arrests for offenses, while in the  
23 performance of such duty;

24 (c) Any person acting for the purpose of protecting himself or  
25 herself against the use of presently threatened unlawful force by  
26 another, or for the purpose of protecting another against the use of  
27 such unlawful force by a third person;

28 (d) Any person making or assisting in making a lawful arrest for  
29 the commission of a felony; or

30 (e) Any person engaged in military activities sponsored by the  
31 federal or state governments.

32 **Sec. 16.** RCW 7.105.350 and 2021 c 215 s 47 are each amended to  
33 read as follows:

34 (1) The clerk of the court shall enter any extreme risk  
35 protection order, including temporary extreme risk protection orders,  
36 issued under this chapter into a statewide judicial information  
37 system on the same day such order is issued, if possible, but no  
38 later than the next judicial day.

1 (2) A copy of an extreme risk protection order granted under this  
2 chapter, including temporary extreme risk protection orders, must be  
3 forwarded immediately by the clerk of the court, by electronic means  
4 if possible, to the law enforcement agency specified in the order.  
5 Upon receipt of the order, the law enforcement agency shall  
6 immediately enter the order into the national instant criminal  
7 background check system, any other federal or state computer-based  
8 systems used by law enforcement or others to identify prohibited  
9 purchasers of firearms, and any computer-based criminal intelligence  
10 information system available in this state used by law enforcement  
11 agencies to list outstanding warrants. The order must remain in each  
12 system for the period stated in the order, and the law enforcement  
13 agency shall only expunge orders from the systems that have expired  
14 or terminated. Entry into the computer-based criminal intelligence  
15 information system constitutes notice to all law enforcement agencies  
16 of the existence of the order. The order is fully enforceable in any  
17 county in the state.

18 (3) The information entered into the computer-based criminal  
19 intelligence information system must include notice to law  
20 enforcement whether the order was personally served, served by  
21 electronic means, served by publication, or served by mail.

22 (4) If a law enforcement agency receives a protection order for  
23 entry or service, but the order falls outside the agency's  
24 jurisdiction, the agency may enter and serve the order or may  
25 immediately forward it to the appropriate law enforcement agency for  
26 entry and service, and shall provide documentation back to the court  
27 verifying which law enforcement agency has entered and will serve the  
28 order.

29 (5) The issuing court shall, within three judicial days after the  
30 issuance of any extreme risk protection order, including a temporary  
31 extreme risk protection order, forward a copy of the respondent's  
32 driver's license or identicard, or comparable information, along with  
33 the date of order issuance, to the department of licensing and the  
34 Washington state patrol firearms background check program. Upon  
35 receipt of the information, the department of licensing shall  
36 determine if the respondent has a concealed pistol license. If the  
37 respondent does have a concealed pistol license, the department of  
38 licensing shall immediately notify a law enforcement agency that the  
39 court has directed the revocation of the license. The law enforcement  
40 agency, upon receipt of such notification, shall immediately revoke

1 the license. Upon receipt of the information, the Washington state  
2 patrol firearms background check program shall determine if the  
3 respondent has a permit to purchase firearms. If the respondent does  
4 have a permit to purchase firearms, the Washington state patrol  
5 firearms background check program shall immediately revoke the  
6 permit.

7 (6) If an extreme risk protection order is terminated before its  
8 expiration date, the clerk of the court shall forward on the same day  
9 a copy of the termination order to the department of licensing and  
10 the law enforcement agency specified in the termination order. Upon  
11 receipt of the order, the law enforcement agency shall promptly  
12 remove the order from any computer-based system in which it was  
13 entered pursuant to subsection (2) of this section.

14 **Sec. 17.** RCW 43.43.580 and 2024 c 289 s 7 are each amended to  
15 read as follows:

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

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

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

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

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

35 (e) Include measures to ensure data integrity and the  
36 confidentiality and security of all records and data transmitted and  
37 received by the system; and

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

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

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

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

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

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

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

29 (3) The Washington state patrol may hold the delivery of a  
30 firearm to an applicant under the circumstances provided in RCW  
31 9.41.090 (~~((4) and (5))~~) (3).

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

1 ~~background check system is established, the fee established in this~~  
2 ~~section will replace the fee required in RCW 9.41.090(7).)~~

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

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

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

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

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

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

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

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

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

1        NEW SECTION.    **Sec. 18.**    If any provision of this act or its  
2 application to any person or circumstance is held invalid, the  
3 remainder of the act or the application of the provision to other  
4 persons or circumstances is not affected.

5        NEW SECTION.    **Sec. 19.**    This act takes effect November 1, 2026.

--- END ---