
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: Z-0356.2/17 2nd draft

ATTY/TYPIST: AI:akl

BRIEF DESCRIPTION: Concerning enhanced background checks and licensure for assault weapons and large capacity magazines.

1 AN ACT Relating to enhanced background checks and licensure for
2 assault weapons and large capacity magazines; amending RCW 9.41.010,
3 9.41.090, 9.41.094, 9.41.097, 9.41.0975, 9.41.110, 9.41.124, and
4 9.41.129; adding new sections to chapter 9.41 RCW; prescribing
5 penalties; providing an effective date; and declaring an emergency.

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

7 **Sec. 1.** RCW 9.41.010 and 2015 c 1 s 2 are each amended to read
8 as follows:

9 Unless the context clearly requires otherwise, the definitions in
10 this section apply throughout this chapter.

11 (1) "Antique firearm" means a firearm or replica of a firearm not
12 designed or redesigned for using rim fire or conventional center fire
13 ignition with fixed ammunition and manufactured in or before 1898,
14 including any matchlock, flintlock, percussion cap, or similar type
15 of ignition system and also any firearm using fixed ammunition
16 manufactured in or before 1898, for which ammunition is no longer
17 manufactured in the United States and is not readily available in the
18 ordinary channels of commercial trade.

19 (2) "Barrel length" means the distance from the bolt face of a
20 closed action down the length of the axis of the bore to the crown of

1 the muzzle, or in the case of a barrel with attachments to the end of
2 any legal device permanently attached to the end of the muzzle.

3 (3) "Crime of violence" means:

4 (a) Any of the following felonies, as now existing or hereafter
5 amended: Any felony defined under any law as a class A felony or an
6 attempt to commit a class A felony, criminal solicitation of or
7 criminal conspiracy to commit a class A felony, manslaughter in the
8 first degree, manslaughter in the second degree, indecent liberties
9 if committed by forcible compulsion, kidnapping in the second degree,
10 arson in the second degree, assault in the second degree, assault of
11 a child in the second degree, extortion in the first degree, burglary
12 in the second degree, residential burglary, and robbery in the second
13 degree;

14 (b) Any conviction for a felony offense in effect at any time
15 prior to June 6, 1996, which is comparable to a felony classified as
16 a crime of violence in (a) of this subsection; and

17 (c) Any federal or out-of-state conviction for an offense
18 comparable to a felony classified as a crime of violence under (a) or
19 (b) of this subsection.

20 (4) "Dealer" means a person engaged in the business of selling
21 firearms at wholesale or retail who has, or is required to have, a
22 federal firearms license under 18 U.S.C. Sec. 923(a). A person who
23 does not have, and is not required to have, a federal firearms
24 license under 18 U.S.C. Sec. 923(a), is not a dealer if that person
25 makes only occasional sales, exchanges, or purchases of firearms for
26 the enhancement of a personal collection or for a hobby, or sells all
27 or part of his or her personal collection of firearms.

28 (5) "Family or household member" means "family" or "household
29 member" as used in RCW 10.99.020.

30 (6) "Felony" means any felony offense under the laws of this
31 state or any federal or out-of-state offense comparable to a felony
32 offense under the laws of this state.

33 (7) "Felony firearm offender" means a person who has previously
34 been convicted or found not guilty by reason of insanity in this
35 state of any felony firearm offense. A person is not a felony firearm
36 offender under this chapter if any and all qualifying offenses have
37 been the subject of an expungement, pardon, annulment, certificate,
38 or rehabilitation, or other equivalent procedure based on a finding
39 of the rehabilitation of the person convicted or a pardon, annulment,
40 or other equivalent procedure based on a finding of innocence.

- 1 (8) "Felony firearm offense" means:
- 2 (a) Any felony offense that is a violation of this chapter;
- 3 (b) A violation of RCW 9A.36.045;
- 4 (c) A violation of RCW 9A.56.300;
- 5 (d) A violation of RCW 9A.56.310;
- 6 (e) Any felony offense if the offender was armed with a firearm
- 7 in the commission of the offense.
- 8 (9) "Firearm" means a weapon or device from which a projectile or
- 9 projectiles may be fired by an explosive such as gunpowder.
- 10 (10) "Gun" has the same meaning as firearm.
- 11 (11) "Law enforcement officer" includes a general authority
- 12 Washington peace officer as defined in RCW 10.93.020, or a specially
- 13 commissioned Washington peace officer as defined in RCW 10.93.020.
- 14 "Law enforcement officer" also includes a limited authority
- 15 Washington peace officer as defined in RCW 10.93.020 if such officer
- 16 is duly authorized by his or her employer to carry a concealed
- 17 pistol.
- 18 (12) "Lawful permanent resident" has the same meaning afforded a
- 19 person "lawfully admitted for permanent residence" in 8 U.S.C. Sec.
- 20 1101(a)(20).
- 21 (13) "Licensed dealer" means a person who is federally licensed
- 22 under 18 U.S.C. Sec. 923(a).
- 23 (14) "Loaded" means:
- 24 (a) There is a cartridge in the chamber of the firearm;
- 25 (b) Cartridges are in a clip that is locked in place in the
- 26 firearm;
- 27 (c) There is a cartridge in the cylinder of the firearm, if the
- 28 firearm is a revolver;
- 29 (d) There is a cartridge in the tube or magazine that is inserted
- 30 in the action; or
- 31 (e) There is a ball in the barrel and the firearm is capped or
- 32 primed if the firearm is a muzzle loader.
- 33 (15) "Machine gun" means any firearm known as a machine gun,
- 34 mechanical rifle, submachine gun, or any other mechanism or
- 35 instrument not requiring that the trigger be pressed for each shot
- 36 and having a reservoir clip, disc, drum, belt, or other separable
- 37 mechanical device for storing, carrying, or supplying ammunition
- 38 which can be loaded into the firearm, mechanism, or instrument, and
- 39 fired therefrom at the rate of five or more shots per second.

1 (16) "Nonimmigrant alien" means a person defined as such in 8
2 U.S.C. Sec. 1101(a)(15).

3 (17) "Person" means any individual, corporation, company,
4 association, firm, partnership, club, organization, society, joint
5 stock company, or other legal entity.

6 (18) "Pistol" means any firearm with a barrel less than sixteen
7 inches in length, or is designed to be held and fired by the use of a
8 single hand.

9 (19) "Rifle" means a weapon designed or redesigned, made or
10 remade, and intended to be fired from the shoulder and designed or
11 redesigned, made or remade, and intended to use the energy of the
12 explosive in a fixed metallic cartridge to fire only a single
13 projectile through a rifled bore for each single pull of the trigger.

14 (20) "Sale" and "sell" mean the actual approval of the delivery
15 of a firearm in consideration of payment or promise of payment.

16 (21) "Serious offense" means any of the following felonies or a
17 felony attempt to commit any of the following felonies, as now
18 existing or hereafter amended:

19 (a) Any crime of violence;

20 (b) Any felony violation of the uniform controlled substances
21 act, chapter 69.50 RCW, that is classified as a class B felony or
22 that has a maximum term of imprisonment of at least ten years;

23 (c) Child molestation in the second degree;

24 (d) Incest when committed against a child under age fourteen;

25 (e) Indecent liberties;

26 (f) Leading organized crime;

27 (g) Promoting prostitution in the first degree;

28 (h) Rape in the third degree;

29 (i) Drive-by shooting;

30 (j) Sexual exploitation;

31 (k) Vehicular assault, when caused by the operation or driving of
32 a vehicle by a person while under the influence of intoxicating
33 liquor or any drug or by the operation or driving of a vehicle in a
34 reckless manner;

35 (l) Vehicular homicide, when proximately caused by the driving of
36 any vehicle by any person while under the influence of intoxicating
37 liquor or any drug as defined by RCW 46.61.502, or by the operation
38 of any vehicle in a reckless manner;

39 (m) Any other class B felony offense with a finding of sexual
40 motivation, as "sexual motivation" is defined under RCW 9.94A.030;

1 (n) Any other felony with a deadly weapon verdict under RCW
2 9.94A.825;

3 (o) Any felony offense in effect at any time prior to June 6,
4 1996, that is comparable to a serious offense, or any federal or out-
5 of-state conviction for an offense that under the laws of this state
6 would be a felony classified as a serious offense; or

7 (p) Any felony conviction under RCW 9.41.115.

8 (22) "Short-barreled rifle" means a rifle having one or more
9 barrels less than sixteen inches in length and any weapon made from a
10 rifle by any means of modification if such modified weapon has an
11 overall length of less than twenty-six inches.

12 (23) "Short-barreled shotgun" means a shotgun having one or more
13 barrels less than eighteen inches in length and any weapon made from
14 a shotgun by any means of modification if such modified weapon has an
15 overall length of less than twenty-six inches.

16 (24) "Shotgun" means a weapon with one or more barrels, designed
17 or redesigned, made or remade, and intended to be fired from the
18 shoulder and designed or redesigned, made or remade, and intended to
19 use the energy of the explosive in a fixed shotgun shell to fire
20 through a smooth bore either a number of ball shot or a single
21 projectile for each single pull of the trigger.

22 (25) "Transfer" means the intended delivery of a firearm to
23 another person without consideration of payment or promise of payment
24 including, but not limited to, gifts and loans.

25 (26) "Unlicensed person" means any person who is not a licensed
26 dealer under this chapter.

27 (27) "Assault weapon" means:

28 (a) A semiautomatic rifle that has the capacity to accept a
29 detachable magazine and has one or more of the following:

30 (i) A pistol grip that protrudes conspicuously beneath the action
31 of the weapon;

32 (ii) A thumbhole stock;

33 (iii) A folding or telescoping stock;

34 (iv) A second handgrip or a protruding grip that can be held by
35 the nontrigger hand;

36 (v) A flash suppressor, muzzle break, muzzle compensator, or
37 threaded barrel designed to accommodate a flash suppressor, muzzle
38 break, or muzzle compensator;

39 (vi) A grenade launcher or flare launcher;

1 (b) A semiautomatic pistol, or a semiautomatic, centerfire, or
2 rimfire rifle with a fixed magazine, that has the capacity to accept
3 more than ten rounds of ammunition;

4 (c) A semiautomatic pistol that has the capacity to accept a
5 detachable magazine and has one or more of the following:

6 (i) Any feature capable of functioning as a protruding grip that
7 can be held by the nontrigger hand;

8 (ii) A threaded barrel, capable of accepting a flash suppressor,
9 forward handgrip, or silencer;

10 (iii) A shroud attached to the barrel, or that partially or
11 completely encircles the barrel, allowing the bearer to hold the
12 firearm with the nontrigger hand without being burned, but excluding
13 a slide that encloses the barrel; or

14 (iv) The capacity to accept a detachable magazine at any location
15 outside of the pistol grip;

16 (d) A semiautomatic, centerfire, or rimfire rifle that has an
17 overall length of less than thirty inches;

18 (e) A semiautomatic shotgun that has both of the following:

19 (i) A pistol grip that protrudes conspicuously beneath the action
20 of the weapon, thumbhole stock, or vertical handgrip;

21 (ii) A folding or telescoping stock; or

22 (iii) An ability to accept a detachable magazine;

23 (f) A shotgun with a revolving cylinder; or

24 (g) A conversion kit, part, or combination of parts, from which
25 an assault weapon can be assembled if those parts are in the
26 possession or under the control of the same person.

27 "Assault weapon" does not include antique firearms, any firearm
28 that has been made permanently inoperable, or any firearm that is
29 manually operated by bolt, pump, lever, or slide action.

30 (28) "Detachable magazine" means an ammunition feeding device
31 that can be loaded or unloaded while detached from a firearm and
32 readily inserted into a firearm.

33 (29) "Large capacity magazine" means an ammunition feeding device
34 with the capacity to accept more than ten rounds of ammunition, or
35 any conversion kit, part, or combination of parts, from which such a
36 device can be assembled if those parts are in the possession or under
37 the control of the same person, but shall not be construed to include
38 any of the following:

1 (a) An ammunition feeding device that has been permanently
2 altered so that it cannot accommodate more than ten rounds of
3 ammunition;

4 (b) A twenty-two caliber tube ammunition feeding device; or

5 (c) A tubular magazine that is contained in a lever-action
6 firearm.

7 (30) "Secure gun storage" means:

8 (a) A safe, gun safe, gun case, lock box, or other device that is
9 designed to be used to store a firearm and prevent unauthorized
10 access through use of a secure, locking device and that is designed
11 to be unlocked only by means of a key, combination, or other similar
12 means, and that is constructed of such quality workmanship and
13 material that it cannot be opened or destroyed by use of reasonable
14 force; and

15 (b) The act of keeping an unloaded firearm stored by such means.

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

18 (1) Except as provided in subsection (2) of this section, a
19 person shall not possess, manufacture, transport, purchase,
20 distribute, import, sell, or offer to sell an assault weapon or large
21 capacity magazine without being in possession of an assault weapon
22 license issued pursuant to section 3 of this act. The assault weapon
23 license must list each assault weapon or large capacity magazine
24 currently in the license holder's possession. An assault weapon
25 listed must include the make, model, and manufacturer's number. A
26 large capacity magazine listed must include a description including
27 the make, caliber, and capacity of the magazine. If the assault
28 weapons or large capacity magazines in the possession of the license
29 holder changes, the license holder must obtain a replacement license
30 within fourteen days. Multiple individuals may seek licensure for the
31 same assault weapon if the assault weapon is possessed by multiple
32 individuals and each individual shall have a separate license. If no
33 assault weapon or large capacity magazine is possessed at the time of
34 licensure, the licensee must obtain a replacement license that lists
35 the required information on the license within fourteen days of
36 acquiring possession of the assault weapon or large capacity
37 magazine.

38 (2) A person holding an assault weapon license must exercise
39 great care in the possession and transport of an assault weapon for

1 which the person is licensed. Great care shall include, but is not
2 limited to, storing all assault weapons unloaded within secure gun
3 storage when the assault weapon is not in the immediate possession of
4 the licensee or the use of an external locking mechanism designed to
5 make a firearm inoperable such as a trigger lock.

6 (3) A person who knowingly violates subsection (1) or (2) of this
7 section is guilty of a class C felony punishable under chapter 9A.20
8 RCW.

9 (4) When the holder of an assault weapon license has possession
10 of an assault weapon or large capacity magazine outside his or her
11 home or beyond property under his or her control, the licensee shall
12 keep the license on his or her person and shall display the license
13 upon demand to any law enforcement officer for purposes of
14 determining the validity of the license and to establish his or her
15 lawful possession of the assault weapon or large capacity magazine in
16 his or her possession.

17 (5) A person in knowing violation of subsection (4) of this
18 section is guilty of a gross misdemeanor punishable under chapter
19 9A.20 RCW. If a person previously has been found guilty under this
20 section, then the person is guilty of a class C felony punishable
21 under chapter 9A.20 RCW for each subsequent knowing violation of
22 subsection (4) of this section.

23 (6) The assault weapon licensure requirement in subsection (1) of
24 this section does not apply to any of the following:

25 (a) From the effective date of this section until July 1, 2020:
26 The possession of an assault weapon or large capacity magazine by a
27 person who legally possesses the assault weapon or large capacity
28 magazine on the effective date of this section. However, a person who
29 legally possesses an assault weapon or large capacity magazine under
30 this subsection (6)(a) may not sell or transfer the assault weapon or
31 large capacity magazine to any other person in this state other than
32 to a licensed dealer, to a federally licensed gunsmith for the
33 purpose of service or repair, or to a law enforcement agency for the
34 purpose of permanently relinquishing the assault weapon or large
35 capacity magazine;

36 (b) The possession of an unloaded and securely stored assault
37 weapon or large capacity magazine possessed solely on property owned
38 or immediately controlled by the person if that assault weapon or
39 large capacity magazine was legally owned with an assault weapon
40 license or purchased with a valid assault weapon license and that

1 license has expired. However, the new assault weapon license must be
2 obtained for any subsequent possession beyond that person's property,
3 transfer, distribution, manufacture, sale, or offer for sale of that
4 assault weapon or large capacity magazine;

5 (c) Any government officer, agent, or employee, member of the
6 armed forces of the United States or the state of Washington, or law
7 enforcement officer, to the extent that the person is otherwise
8 authorized to acquire or possess an assault weapon or large capacity
9 magazine and does so while acting within the scope of his or her
10 duties;

11 (d) The manufacture, offering for sale, sale, importation, or
12 transfer of an assault weapon or large capacity magazine by a
13 licensed firearms manufacturer for the purposes of sale to any branch
14 of the armed forces of the United States or the state of Washington,
15 or to a law enforcement agency in this state for use by that agency
16 or its employees;

17 (e) The possession, offering for sale, sale, importation, or
18 transfer of an assault weapon or large capacity magazine by a dealer
19 that is properly licensed under federal and state law for the purpose
20 of sale to any branch of the armed forces of the United States or the
21 state of Washington, or to a law enforcement agency in this state for
22 use by that agency or its employees for law enforcement purposes;

23 (f) The possession, purchase, distribution, offering for sale,
24 sale, importation, or transfer of an assault weapon or large capacity
25 magazine by a dealer that is properly licensed under federal and
26 state law;

27 (g) The transfer to and possession of a legally possessed assault
28 weapon or large capacity magazine by a federally licensed gunsmith
29 for the purposes of service or repair, and the return of the assault
30 weapon or large capacity magazine to the lawful owner;

31 (h) The possession, offering for sale, sale, importation, or
32 transfer of an unloaded assault weapon or large capacity magazine for
33 the purpose of permanently relinquishing it to a law enforcement
34 agency in this state. An assault weapon or large capacity magazine
35 relinquished to a law enforcement agency under this subsection must
36 be destroyed;

37 (i) The possession, importation, purchase, or transfer of an
38 assault weapon or large capacity magazine by marshals, sheriffs,
39 prison or jail wardens or their deputies, or other law enforcement
40 officers of this or another state while acting within the scope of

1 their duties, including the possession while not on duty, but
2 specifically authorized by command staff and necessary for the
3 performance of such duties;

4 (j) The possession of an assault weapon or large capacity
5 magazine by law enforcement officers retired for service or physical
6 disabilities, when the assault weapon or large capacity magazine in
7 question was acquired as part of the officer's separation from
8 service;

9 (k) Members of the armed forces of the United States or of the
10 national guard or organized services, when on duty;

11 (l) Officers or employees of the United States duly authorized to
12 possess assault weapons or large capacity magazines; or

13 (m) The possession or transfer of an unloaded assault weapon or
14 large capacity magazine by a common carrier or airline baggage
15 handler while in the course and scope of his or her employment.

16 NEW SECTION. **Sec. 3.** A new section is added to chapter 9.41 RCW
17 to read as follows:

18 (1) The chief of police of a municipality or the sheriff of a
19 county shall, within thirty days after the filing of an application
20 of any resident of the state of Washington, issue a license to such
21 person to possess, manufacture, transport, purchase, distribute,
22 import, sell, or offer to sell an assault weapon or large capacity
23 magazine within this state for a period of one year from the date of
24 issue. Residency is established by possession of a valid permanent
25 Washington driver's license, possession of a Washington state
26 identicard, or a showing that the individual has resided in the state
27 for the previous consecutive ninety days. The issuing authority shall
28 not refuse to accept completed applications for assault weapon
29 licenses during regular business hours.

30 (2) The license may not be issued if:

31 (a) The applicant is ineligible to possess a firearm under any
32 federal or state law;

33 (b) The applicant is under twenty-one years of age;

34 (c) The applicant is currently subject to a court order or
35 injunction regarding firearms pursuant to RCW 9A.46.080, 10.14.080,
36 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115,
37 26.26.130, 26.50.060, 26.50.070, or 26.26.590;

1 (d) The applicant is currently free on bond or personal
2 recognizance pending trial, appeal, or sentencing for a felony
3 offense;

4 (e) The applicant has an outstanding warrant for his or her
5 arrest from any court of competent jurisdiction for a felony or
6 misdemeanor; or

7 (f) The applicant has been ordered to forfeit a firearm under RCW
8 9.41.098(1)(e) within one year before filing an application for an
9 assault weapon license.

10 No person convicted of a felony may have his or her right to
11 possess firearms restored or his or her privilege to possess an
12 assault weapon license restored, unless the person has been granted
13 relief from disabilities by the attorney general under 18 U.S.C. Sec.
14 925(c), or RCW 9.41.040 (3) or (4) applies.

15 (3) Additionally, the license may not be issued to the applicant
16 unless:

17 (a) The applicant provides proof that he or she has completed a
18 recognized firearm safety training program within the last three
19 years that, at a minimum, includes:

20 (i) Basic firearms safety rules;

21 (ii) Firearms and children, including safe storage of firearms
22 and talking to children about guns;

23 (iii) Firearms and suicide prevention;

24 (iv) Safe storage of firearms to prevent unauthorized use;

25 (v) Safe handling of firearms; and

26 (vi) Firearms laws, including prohibited firearms transfers.

27 The training must be sponsored by a federal, state, county, or
28 municipal law enforcement agency, a college, a nationally recognized
29 organization that customarily offers firearms training, or a firearms
30 training school with instructors certified by a nationally recognized
31 organization that customarily offers firearms training. The proof of
32 training shall be in the form of a certification that states under
33 the penalty of perjury the training included the minimum
34 requirements.

35 (b) The applicant states under penalty of perjury that the
36 applicant shall use safe gun storage when the assault weapon or large
37 capacity magazine is not in his or her immediate possession and that
38 the only purpose for which the applicant will use the assault weapon
39 or large capacity magazine is a lawful one. A lawful purpose includes
40 only the following:

1 (i) Purchases made solely for possession of the assault weapon on
2 property owned or immediately controlled by the person;

3 (ii) Lawfully selling or transferring an assault weapon;

4 (iii) Possession for legal use while at a lawfully operated
5 firing range, including transportation to and from the firing range
6 so long as the assault weapon and/or large capacity magazine is
7 unloaded and locked in a container meeting the definition of safe gun
8 storage and within the vehicle at all times during transportation;

9 (iv) Possession for legal use at an organized competition or
10 sport shooting event involving the use of an assault weapon,
11 participating in or practicing for a performance by an organized
12 group that uses assault weapons as part of the performance, including
13 transportation to and from these events so long as the assault weapon
14 and/or large capacity magazine is unloaded and locked in a container
15 meeting the definition of safe gun storage and within the vehicle at
16 all times during transportation; and

17 (v) Possession for legal use while engaged in lawful hunting so
18 long as the individual has a valid hunting license and it is
19 reasonable to conclude that the person is hunting, including
20 transportation to and from such lawful hunting so long as the assault
21 weapon and/or large capacity magazine is unloaded and locked in a
22 container meeting the definition of safe gun storage and within the
23 vehicle at all times during transportation.

24 (4) A person may apply for an assault weapon license:

25 (a) To the municipality or to the county in which the applicant
26 resides if the applicant resides in a municipality; or

27 (b) To the county in which the applicant resides if the applicant
28 resides in an unincorporated area.

29 (5) When applying for a new or renewal license:

30 (a) The issuing authority shall conduct a check through the
31 national instant criminal background check system, the Washington
32 state patrol electronic database, the department of social and health
33 services electronic database, and with other agencies or resources as
34 appropriate, to determine whether the applicant is ineligible under
35 state or federal law.

36 (b) The issuing authority shall deny a license to anyone who is
37 found to be prohibited from possessing a firearm under federal or
38 state law or who does not meet the other requirements of subsections
39 (1) through (3) of this section.

1 (6) The original license application shall be made under penalty
2 of perjury and contain:

3 (a) The full name, residential address, telephone number, date
4 and place of birth, race, gender, description, and signature of the
5 licensee, the licensee's driver's license number or state identicard
6 number if used for identification in applying for the license. If the
7 applicant is not an individual, the application must include the
8 business in which the applicant is engaged in and the business
9 address;

10 (b) The make, model, and serial number of each assault weapon the
11 individual wishes to possess, manufacture, transport, purchase,
12 distribute, import, sell, or offer to sell if known at the time of
13 application;

14 (c) A full description of the lawful purpose for which the
15 assault weapon license is sought;

16 (d) A full description of the safe gun storage the applicant will
17 use to store the assault weapon when the assault weapon is not in
18 their immediate possession and when the assault weapon is being
19 transported as allowed by the lawful purposes described in section 2
20 of this act;

21 (e) Two complete sets of fingerprints to be forwarded to the
22 Washington state patrol;

23 (f) A warning substantially as follows:

24 CAUTION: Although state and local laws do not differ, federal
25 law and state law on the possession of firearms differ. If
26 you are prohibited by federal law from possessing a firearm,
27 you may be prosecuted in federal court. A state license is
28 not a defense to a federal prosecution;

29 (g) A description of the major differences between state and
30 federal law and an explanation of the fact that local laws and
31 ordinances on firearms are preempted by state law and must be
32 consistent with state law;

33 (h) Questions about the applicant's eligibility under RCW
34 9.41.040 and federal law to possess a firearm, the applicant's place
35 of birth, and whether the applicant is a United States citizen. If
36 the applicant is not a United States citizen, the applicant must
37 provide the applicant's country of citizenship, United States issued
38 alien number or admission number, and the basis on which the
39 applicant claims to be exempt from federal prohibitions on firearm

1 possession by aliens. The applicant shall not be required to produce
2 a birth certificate or other evidence of citizenship. A person who is
3 not a citizen of the United States shall, if applicable, meet the
4 additional requirements of RCW 9.41.173 and produce proof of
5 compliance with RCW 9.41.173 upon application.

6 (7) The application for a renewal license, or an application to
7 replace a license that has been lost, stolen, or damaged to the
8 extent it is no longer legible shall be the same as the application
9 for an original license except:

10 (a) Fingerprints shall not be required;

11 (b) The issuing authority shall do a check of the department of
12 licensing's online database to ensure the information regarding the
13 assault weapons and large capacity magazines is up-to-date.

14 (8)(a) To amend an assault weapon license to add or remove an
15 assault weapon or large capacity magazine in the license holder's
16 possession in compliance with section 2(1) of this act, the license
17 holder shall, within fourteen days of the change, bring proof of
18 lawful purchase, sale, or transfer of the assault weapon or large
19 capacity magazine to the issuing authority where a law enforcement
20 officer shall examine the proof, make the relevant changes to the
21 original license, and send the amended information to the director of
22 the department of licensing within three days using the form
23 prescribed by the director of the department of licensing, who may
24 require online submission of the information. The law enforcement
25 officer shall sign the license next to the amendment including their
26 badge number.

27 (b) A request for an amended license shall not be denied during
28 regular business hours.

29 (c) Any law enforcement officer acting in good faith is immune
30 from liability for mistakenly amending an assault weapon license.

31 (9)(a) The assault weapon license shall be in a form prescribed
32 by the department of licensing and shall include, but is not limited
33 to, the following information:

34 (i) The name and date of birth of the license holder;

35 (ii) Sufficient space for the issuing authority to fill in, and
36 remove, as appropriate:

37 (A) The make, model, and serial number of each assault weapon in
38 the license holder's possession;

39 (B) The make, caliber, and capacity of any large capacity
40 magazines in the license holder's possession;

1 (C) The signature and badge number of the law enforcement officer
2 who adds or removes an assault weapon or large capacity magazine from
3 the license.

4 (b) The original license shall be kept by the licensee, a
5 duplicate copy shall for a period of six years be kept by the
6 authority issuing the license, a third copy shall be sent to the
7 director of licensing within three days. The director of licensing
8 may require the online submission of his or her copy as well as any
9 amendments.

10 (10) The department of licensing shall make available to law
11 enforcement and corrections agencies, in an online format, all
12 information received under this section.

13 (11) Upon application for a new license, the applicant shall pay
14 a nonrefundable fee of fifty dollars plus additional charges imposed
15 by the federal bureau of investigation that are passed on to the
16 applicant. At the beginning of each biennium, the director of the
17 office of financial management may by administrative policy adjust
18 the fee under this subsection to levels not to exceed the percentage
19 increase in the consumer price index for all urban consumers, CPI-U,
20 for Seattle, or a successor index, for the previous biennium as
21 calculated by the United States department of labor. Adjusted dollar
22 amounts of indebtedness shall be rounded to the nearest dollar
23 increment. No other state or local branch or unit of government may
24 impose any additional charges on the applicant for the issuance of
25 the license.

26 The fee shall be distributed as follows:

27 (a) Fifteen dollars shall be paid to the state general fund;

28 (b) Ten dollars shall be paid to the agency taking the
29 fingerprints of the person licensed;

30 (c) Twenty dollars shall be paid to the issuing authority for the
31 purpose of enforcing this chapter; and

32 (d) Five dollars shall be paid to the firearms range account in
33 the general fund.

34 (12) The nonrefundable fee for the one-year renewal of the
35 license is thirty dollars. At the beginning of each biennium, the
36 director of the office of financial management may by administrative
37 policy adjust the fee under this subsection (12) to levels not to
38 exceed the percentage increase in the consumer price index for all
39 urban consumers, CPI-U, for Seattle, or a successor index, for the
40 previous biennium as calculated by the United States department of

1 labor. Adjusted dollar amounts of indebtedness shall be rounded to
2 the nearest five dollar increment.

3 The renewal or amendment fee shall be distributed as follows:

4 (a) Ten dollars shall be paid to the state general fund;

5 (b) Eighteen dollars shall be paid to the issuing authority for
6 the purpose of enforcing this chapter; and

7 (c) Two dollars shall be paid to the firearms range account in
8 the general fund.

9 (13) The nonrefundable fee for the replacement of a lost or
10 damaged license is twenty dollars to be paid to the issuing
11 authority.

12 (14) Payment shall be by cash, check, or money order at the
13 option of the applicant. Additional methods of payment may be allowed
14 at the option of the issuing authority.

15 (15) A licensee may renew a license if the licensee applies for
16 renewal within forty-five days before or after the expiration date of
17 the license. A license so renewed or amended takes effect on the
18 expiration date of the prior license. A licensee is required to apply
19 for an amended license pursuant to requirements in section 2(1) of
20 this act within forty-five days of the change and the license expires
21 on the expiration date of the prior license. A licensee renewing
22 after the expiration date of the license must pay a late renewal
23 penalty of twenty-five dollars in addition to the renewal fee
24 specified in subsection (12) of this section. At the beginning of
25 each biennium, the director of the office of financial management may
26 by administrative policy adjust the fee under this subsection to
27 levels not to exceed the percentage increase in the consumer price
28 index for all urban consumers, CPI-U, for Seattle, or a successor
29 index, for the previous biennium as calculated by the United States
30 department of labor. Adjusted dollar amounts of indebtedness shall be
31 rounded to the nearest five dollar increment. The fee shall be
32 distributed as follows:

33 (a) Five dollars shall be deposited in the state wildlife account
34 and used exclusively first for the printing and distribution of a
35 pamphlet on the legal limits of the use of firearms, firearms safety,
36 and the preemptive nature of state law, and subsequently for the
37 support of volunteer instructors in the basic firearms safety
38 training program conducted by the department of fish and wildlife.
39 The pamphlet shall be given to each applicant for a license; and

1 (b) Twenty dollars shall be paid to the issuing authority for the
2 purpose of enforcing this chapter.

3 (16) A political subdivision of the state shall not modify the
4 requirements of this section or chapter, nor may a political
5 subdivision ask the applicant to voluntarily submit any information
6 not required by this section.

7 (17) A person who knowingly makes a false statement on an
8 application for an assault weapon license is guilty of false swearing
9 under RCW 9A.72.040. In addition to any other penalty provided for by
10 law, the assault weapon license of a person who knowingly makes a
11 false statement shall be revoked, and the person shall be permanently
12 ineligible for an assault weapon license.

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

32 NEW SECTION. **Sec. 4.** A new section is added to chapter 9.41 RCW
33 to read as follows:

34 (1) The assault weapon license shall be revoked by the license-
35 issuing authority immediately upon:

36 (a) Discovery by the issuing authority that the person was
37 ineligible under section 3 of this act for an assault weapon license
38 when applying for the license or license renewal;

1 (b) Conviction of the licensee, or the licensee being found not
2 guilty by reason of insanity, of an offense, or commitment of the
3 licensee for mental health treatment, that makes a person ineligible
4 under RCW 9.41.040 or federal law to possess a firearm;

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

7 (d) An order that the licensee forfeit a firearm under RCW
8 9.41.098(1)(d).

9 (2) Upon revocation of the license, unless the person may
10 lawfully possess the assault weapon or large capacity magazine
11 without an assault weapon license, an ineligible person to whom an
12 assault weapon license was issued shall, within fourteen days of
13 license revocation, transfer ownership of all assault weapons or
14 large capacity magazines listed on the license or otherwise in his or
15 her possession. Possession and transfer solely for the purposes of
16 complying with this subsection is not a violation of section 2(1) of
17 this act during the fourteen-day period. The issuing authority shall
18 require the person to present satisfactory evidence within fourteen
19 days of having transferred all assault weapons in compliance with
20 this chapter. In addition to being in violation of section 2 of this
21 act, failure to lawfully transfer possession or to provide proof of
22 the lawful transfer is a gross misdemeanor punishable under chapter
23 9A.20 RCW.

24 (3) When a licensee is ordered to forfeit a firearm under RCW
25 9.41.098(1)(d), the issuing authority shall:

26 (a) On the first forfeiture, revoke the license and the person
27 shall not be eligible to reapply for a period of one year;

28 (b) On the second forfeiture, revoke the license and the person
29 shall not be eligible to reapply for a period of two years; or

30 (c) On the third or subsequent forfeiture, revoke the license and
31 the person shall not be eligible to reapply for a period of five
32 years.

33 (4) The issuing authority shall notify the department of
34 licensing of the revocation of a license within three business days
35 via electronic submission through the firearms system. The department
36 of licensing shall record the revocation.

37 **Sec. 5.** RCW 9.41.090 and 2015 c 1 s 5 are each amended to read
38 as follows:

1 (1) In addition to the other requirements of this chapter, no
2 dealer may deliver a pistol to the purchaser thereof until:

3 (a) In the case of a pistol purchase, the purchaser produces a
4 valid concealed pistol license and the dealer has recorded the
5 purchaser's name, license number, and issuing agency, such record to
6 be made in triplicate and processed as provided in subsection ((+5+))
7 (6) of this section. For purposes of this subsection (1)(a), a "valid
8 concealed pistol license" does not include a temporary emergency
9 license, and does not include any license issued before July 1, 1996,
10 unless the issuing agency conducted a records search for
11 disqualifying crimes under RCW 9.41.070 at the time of issuance;

12 (b) The dealer is notified in writing by the chief of police or
13 the sheriff of the jurisdiction in which the purchaser resides that
14 the purchaser is eligible to possess a pistol under RCW 9.41.040 and
15 that the application to purchase is approved by the chief of police
16 or sheriff; or

17 (c) The requirements or time periods in RCW 9.41.092 have been
18 satisfied.

19 (2) In addition to other requirements of this chapter, no dealer
20 may deliver an assault weapon or large capacity magazine to the
21 purchaser thereof until the purchaser produces a valid assault weapon
22 license and the dealer has recorded the purchaser's name, license
23 number, and issuing agency, such record to be made in triplicate and
24 processed as provided in subsection (6) of this section. If the
25 dealer is facilitating the sale of an assault weapon or large
26 capacity magazine pursuant to the requirements of RCW 9.41.113(3),
27 the dealer must also ensure that the seller has either a valid
28 assault weapon license, or an assault weapon license that has been
29 revoked within the past fourteen days as allowable under section 4(2)
30 of this act.

31 (3)(a) Except as provided in (b) of this subsection, in
32 determining whether the purchaser meets the requirements of RCW
33 9.41.040, the chief of police or sheriff, or the designee of either,
34 shall check with the national crime information center, the
35 Washington state patrol electronic database, the department of social
36 and health services electronic database, and with other agencies or
37 resources as appropriate, to determine whether the applicant is
38 ineligible under RCW 9.41.040 to possess a firearm.

39 (b) Once the system is established, a dealer shall use the state
40 system and national instant criminal background check system,

1 provided for by the Brady Handgun Violence Prevention Act (18 U.S.C.
2 Sec. 921 et seq.), to make criminal background checks of applicants
3 to purchase firearms. However, a chief of police or sheriff, or a
4 designee of either, shall continue to check the department of social
5 and health services' electronic database and with other agencies or
6 resources as appropriate, to determine whether applicants are
7 ineligible under RCW 9.41.040 to possess a firearm.

8 ~~((3))~~ (4) In any case under this section where the applicant
9 has an outstanding warrant for his or her arrest from any court of
10 competent jurisdiction for a felony or misdemeanor, the dealer shall
11 hold the delivery of the pistol, assault weapon, or large capacity
12 magazine until the warrant for arrest is served and satisfied by
13 appropriate court appearance. The local jurisdiction for purposes of
14 the sale shall confirm the existence of outstanding warrants within
15 seventy-two hours after notification of the application to purchase a
16 pistol, assault weapon, or large capacity magazine is received. The
17 local jurisdiction shall also immediately confirm the satisfaction of
18 the warrant on request of the dealer so that the hold may be released
19 if the warrant was for an offense other than an offense making a
20 person ineligible under RCW 9.41.040 to possess a pistol, assault
21 weapon, or large capacity magazine.

22 ~~((4))~~ (5) In any case where the chief or sheriff of the local
23 jurisdiction has reasonable grounds based on the following
24 circumstances: (a) Open criminal charges, (b) pending criminal
25 proceedings, (c) pending commitment proceedings, (d) an outstanding
26 warrant for an offense making a person ineligible under RCW 9.41.040
27 to possess a pistol, assault weapon, or large capacity magazine, or
28 (e) an arrest for an offense making a person ineligible under RCW
29 9.41.040 to possess a pistol, assault weapon, or large capacity
30 magazine, if the records of disposition have not yet been reported or
31 entered sufficiently to determine eligibility to purchase a pistol,
32 assault weapon, or large capacity magazine, the local jurisdiction
33 may hold the sale and delivery of the pistol, assault weapon, or
34 large capacity magazine up to thirty days in order to confirm
35 existing records in this state or elsewhere. After thirty days, the
36 hold will be lifted unless an extension of the thirty days is
37 approved by a local district court or municipal court for good cause
38 shown. A dealer shall be notified of each hold placed on the sale by
39 local law enforcement and of any application to the court for

1 additional hold period to confirm records or confirm the identity of
2 the applicant.

3 ~~((+5))~~ (6) At the time of applying for the purchase of a pistol,
4 assault weapon, or large capacity magazine, the purchaser shall sign
5 in triplicate and deliver to the dealer an application containing:

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

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

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

11 (d) If purchasing a pistol or assault weapon, a description of
12 the pistol or assault weapon including the make, model, caliber, and
13 manufacturer's number if available at the time of applying for the
14 purchase of a pistol or assault weapon; and

15 (e) If purchasing a large capacity magazine, a description of the
16 large capacity magazine including make, caliber, and capacity. If the
17 manufacturer's number is not available at the time of purchase of the
18 pistol or assault weapon, the application may be processed, but
19 delivery of the pistol or assault weapon to the purchaser may not
20 occur unless the manufacturer's number is recorded on the application
21 by the dealer and transmitted to the chief of police of the
22 municipality or the sheriff of the county in which the purchaser
23 resides; and a statement that the purchaser is eligible to possess a
24 pistol, assault weapon, or large capacity magazine under ((RCW
25 9.41.040)) state or federal law.

26 The application shall contain a warning substantially as follows:

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

32 The purchaser shall be given a copy of the department of fish and
33 wildlife pamphlet on the legal limits of the use of firearms,
34 firearms safety, and the fact that local laws and ordinances on
35 firearms are preempted by state law and must be consistent with state
36 law.

37 The dealer shall, by the end of the business day, sign and attach
38 his or her address and deliver a copy of the application and such
39 other documentation as required under subsection (1) of this section

1 to the chief of police of the municipality or the sheriff of the
2 county of which the purchaser is a resident. The triplicate shall be
3 retained by the dealer for six years. The dealer shall deliver the
4 pistol, assault weapon, or large capacity magazine to the purchaser
5 following the period of time specified in this chapter unless the
6 dealer is notified of an investigative hold under subsection ~~((+4))~~
7 (5) of this section in writing by the chief of police of the
8 municipality or the sheriff of the county, whichever is applicable,
9 denying the purchaser's application to purchase and the grounds
10 thereof. The application shall not be denied unless the purchaser is
11 not eligible to possess a pistol, assault weapon, or large capacity
12 magazine under ~~((RCW 9.41.040))~~ state or ~~((9.41.045, or))~~ federal
13 law.

14 The chief of police of the municipality or the sheriff of the
15 county shall retain or destroy applications to purchase a pistol,
16 assault weapon, or large capacity magazine in accordance with the
17 requirements of 18 U.S.C. Sec. 922.

18 ~~((+6))~~ (7) A person who knowingly makes a false statement
19 regarding identity or eligibility requirements on the application to
20 purchase a pistol, assault weapon, or large capacity magazine is
21 guilty of false swearing under RCW 9A.72.040.

22 ~~((+7))~~ (8) This section does not apply to sales to licensed
23 dealers for resale or to the sale of antique firearms.

24 **Sec. 6.** RCW 9.41.094 and 1994 sp.s. c 7 s 411 are each amended
25 to read as follows:

26 A signed application to purchase a pistol, assault weapon, or
27 large capacity magazine shall constitute a waiver of confidentiality
28 and written request that the department of social and health
29 services, mental health institutions, and other health care
30 facilities release, to an inquiring court or law enforcement agency,
31 information relevant to the applicant's eligibility to purchase a
32 pistol, assault weapon, or large capacity magazine to an inquiring
33 court or law enforcement agency.

34 **Sec. 7.** RCW 9.41.097 and 2009 c 216 s 6 are each amended to read
35 as follows:

36 (1) The department of social and health services, mental health
37 institutions, and other health care facilities shall, upon request of
38 a court or law enforcement agency, supply such relevant information

1 as is necessary to determine the eligibility of a person to possess a
2 pistol, assault weapon, or large capacity magazine or to be issued a
3 concealed pistol license under RCW 9.41.070 or to be issued an
4 assault weapon license under section 3 of this act or to purchase a
5 pistol, assault weapon, or large capacity magazine under RCW
6 9.41.090.

7 (2) Mental health information received by: (a) The department of
8 licensing pursuant to RCW 9.41.047 or 9.41.173; (b) an issuing
9 authority pursuant to RCW 9.41.047 or 9.41.070; (c) a chief of police
10 or sheriff pursuant to RCW 9.41.090 or 9.41.173; (d) a court or law
11 enforcement agency pursuant to subsection (1) of this section, shall
12 not be disclosed except as provided in RCW 42.56.240(4).

13 **Sec. 8.** RCW 9.41.0975 and 2009 c 216 s 7 are each amended to
14 read as follows:

15 (1) The state, local governmental entities, any public or private
16 agency, and the employees of any state or local governmental entity
17 or public or private agency, acting in good faith, are immune from
18 liability:

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

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

23 (c) For issuing a concealed pistol license, assault weapon
24 license, or alien firearm license to a person ineligible for such a
25 license;

26 (d) For failing to issue a concealed pistol license, assault
27 weapon license, or alien firearm license to a person eligible for
28 such a license;

29 (e) For revoking or failing to revoke an issued concealed pistol
30 license, assault weapon license, or alien firearm license;

31 (f) For errors in preparing or transmitting information as part
32 of determining a person's eligibility to receive or possess a
33 firearm, or eligibility for a concealed pistol license, assault
34 weapon license, or alien firearm license;

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

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

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

3 (a) Directing an issuing agency to issue a concealed pistol
4 license, assault weapon license, or alien firearm license wrongfully
5 refused;

6 (b) Directing a law enforcement agency to approve an application
7 to purchase a pistol, assault weapon, or large capacity magazine
8 wrongfully denied;

9 (c) Directing that erroneous information resulting either in the
10 wrongful refusal to issue a concealed pistol license, assault weapon
11 license, or alien firearm license or in the wrongful denial of a
12 purchase application for a pistol, assault weapon, or large capacity
13 magazine be corrected; or

14 (d) Directing a law enforcement agency to approve a dealer's
15 license wrongfully denied.

16 The application for the writ may be made in the county in which
17 the application for a concealed pistol license, assault weapon
18 license, or alien firearm license or to purchase a pistol, assault
19 weapon, or large capacity magazine was made, or in Thurston county,
20 at the discretion of the petitioner. A court shall provide an
21 expedited hearing for an application brought under this subsection
22 (2) for a writ of mandamus. A person granted a writ of mandamus under
23 this subsection (2) shall be awarded reasonable attorneys' fees and
24 costs.

25 **Sec. 9.** RCW 9.41.110 and 2009 c 479 s 10 are each amended to
26 read as follows:

27 (1) No dealer may sell or otherwise transfer, or expose for sale
28 or transfer, or have in his or her possession with intent to sell, or
29 otherwise transfer, any pistol, assault weapon, or large capacity
30 magazine without being licensed as provided in this section.

31 (2) 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 firearm other than a pistol, assault weapon,
34 or large capacity magazine without being licensed as provided in this
35 section.

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

1 (4) The duly constituted licensing authorities of any city, town,
2 or political subdivision of this state shall grant licenses in forms
3 prescribed by the director of licensing effective for not more than
4 one year from the date of issue permitting the licensee to sell
5 firearms within this state subject to the following conditions, for
6 breach of any of which the license shall be forfeited and the
7 licensee subject to punishment as provided in RCW 9.41.010 through
8 9.41.810. A licensing authority shall forward a copy of each license
9 granted to the department of licensing. The department of licensing
10 shall notify the department of revenue of the name and address of
11 each dealer licensed under this section.

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

25 (b) A dealer shall require every employee who may sell a firearm
26 in the course of his or her employment to undergo fingerprinting and
27 a background check. An employee must be eligible to possess a
28 firearm, and must not have been convicted of a crime that would make
29 the person ineligible for a concealed pistol license, before being
30 permitted to sell a firearm. Every employee shall comply with
31 requirements concerning purchase applications and restrictions on
32 delivery of pistols, assault weapons, or large capacity magazines
33 that are applicable to dealers.

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

38 (b) A dealer may conduct business temporarily at a location other
39 than the building designated in the license, if the temporary
40 location is within Washington state and is the location of a gun show

1 sponsored by a national, state, or local organization, or an
2 affiliate of any such organization, devoted to the collection,
3 competitive use, or other sporting use of firearms in the community.
4 Nothing in this subsection (6)(b) authorizes a dealer to conduct
5 business in or from a motorized or towed vehicle.

6 In conducting business temporarily at a location other than the
7 building designated in the license, the dealer shall comply with all
8 other requirements imposed on dealers by RCW 9.41.090((7)) and
9 9.41.100, and ((9.41.110)) this section. The license of a dealer who
10 fails to comply with the requirements of RCW 9.41.080 and 9.41.090
11 and subsection (8) of this section while conducting business at a
12 temporary location shall be revoked, and the dealer shall be
13 permanently ineligible for a dealer's license.

14 (7) The license or a copy thereof, certified by the issuing
15 authority, shall be displayed on the premises in the area where
16 firearms are sold, or at the temporary location, where it can easily
17 be read.

18 (8)(a) No pistol, assault weapon, or large capacity magazine may
19 be sold: (i) In violation of any provisions of RCW 9.41.010 through
20 9.41.810; nor (ii) may a pistol, assault weapon, or large capacity
21 magazine be sold under any circumstances unless the purchaser is
22 personally known to the dealer or shall present clear evidence of his
23 or her identity.

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

29 (c) The license fee for pistols, assault weapons, or large
30 capacity magazines shall be one hundred twenty-five dollars. The
31 license fee for firearms other than pistols, assault weapons, or
32 large capacity magazines shall be one hundred twenty-five dollars.
33 The license fee for ammunition shall be one hundred twenty-five
34 dollars. Any dealer who obtains any license under subsection (1),
35 (2), or (3) of this section may also obtain the remaining licenses
36 without payment of any fee. The fees received under this section
37 shall be deposited in the state general fund.

38 (9)(a) A true record in triplicate shall be made of every pistol,
39 assault weapon, or large capacity magazine sold, in a book kept for
40 the purpose, the form of which may be prescribed by the director of

1 licensing and shall be personally signed by the purchaser and by the
2 person effecting the sale, each in the presence of the other, and
3 shall contain the date of sale, (~~the caliber, make, model and~~
4 ~~manufacturer's number of the weapon,~~) the name, address, occupation,
5 and place of birth of the purchaser, and a statement signed by the
6 purchaser, that he or she is not ineligible under RCW 9.41.040 to
7 possess a firearm. In addition, for pistols and assault weapons, the
8 form shall also include the caliber, make, model, and manufacturer's
9 number of the weapon; for large capacity magazines, the form shall
10 also include the make, caliber, and capacity of the magazine.

11 (b) One copy shall within six hours be sent by certified mail to
12 the chief of police of the municipality or the sheriff of the county
13 of which the purchaser is a resident; the duplicate the dealer shall
14 within seven days send to the director of licensing; the triplicate
15 the dealer shall retain for six years.

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

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

24 (12) Except as provided in RCW 9.41.090, every city, town, and
25 political subdivision of this state is prohibited from requiring the
26 purchaser to secure a permit to purchase or from requiring the dealer
27 to secure an individual permit for each sale.

28 **Sec. 10.** RCW 9.41.124 and 2015 c 1 s 7 are each amended to read
29 as follows:

30 Residents of a state other than Washington may purchase rifles
31 and shotguns, except those firearms defined as assault weapons, in
32 Washington: PROVIDED, That such residents conform to the applicable
33 provisions of the federal Gun Control Act of 1968, Title IV, Pub. L.
34 90-351 as administered by the United States secretary of the
35 treasury: AND PROVIDED FURTHER, That such residents are eligible to
36 purchase or possess such weapons in Washington and in the state in
37 which such persons reside: AND PROVIDED FURTHER, That such residents
38 are subject to the procedures and background checks required by this

1 chapter. FURTHER, no resident of a state other than Washington may
2 purchase a large capacity magazine in Washington.

3 **Sec. 11.** RCW 9.41.129 and 2005 c 274 s 203 are each amended to
4 read as follows:

5 The department of licensing may keep copies or records of
6 applications for concealed pistol licenses provided for in RCW
7 9.41.070, copies or records of applications for alien firearm
8 licenses, copies or records of applications to purchase pistols,
9 assault weapons, or large capacity magazines provided for in RCW
10 9.41.090, copies or records of assault weapon licenses provided for
11 in section 3 of this act, and copies or records of pistol, assault
12 weapon, or large capacity magazine transfers provided for in RCW
13 9.41.110. The copies and records shall not be disclosed except as
14 provided in RCW 42.56.240(4).

15 NEW SECTION. **Sec. 12.** This act is necessary for the immediate
16 preservation of the public peace, health, or safety, or support of
17 the state government and its existing public institutions, and takes
18 effect July 1, 2017.

--- END ---