



HB 1498/Ch. 293 Laws of 2009 (amending RCW 9.41.040 and .047, as well as the implicated mental health statutes).

This bill codified a state firearms restriction for 14-day involuntary commitments under RCW 71.05.240. This law aligns state and federal restrictions. Prior to this law, persons could be committed for up to 14 days without restriction of their state firearms rights, but were subject to the federal restriction because they were “committed to a mental institution.” HB 1498 also changed Washington law to require courts to transmit a record of commitments to the federal background check system within three judicial days, adopted state restoration standards, and added notice provisions to the mental health statutes. Administrative practices were also changed, including revised court forms and improved coordination among state agencies. These changes were all consistent with recommendations in the 2007 White Paper.

2SHB 1052/Ch. 16 Laws of 2009 (amending RCW 9.41.070, .097 and .0975; repealing RCW 9.41.170, and creating RCW 9.41.171).

This bill changed Washington law to allow a non-immigrant alien residing in the state to obtain an alien firearms license to carry or possess a firearm. In addition, provisions were made for lawfully permanent residents of Washington, and non-immigrant aliens residing outside of Washington, to possess firearms with certain restrictions.

HB 1923/Ch. 294 Laws of 2011 (amending RCW 9.41.070).

This bill changed Washington law to explicitly require law enforcement to deny issuance of a concealed pistol license if the applicant is ineligible to possess under federal law.

ESHB 1383/Ch. 84 Laws of 2013 (amending RCW 9.41.800 to accommodate newly created stalking harassment orders).

This bill changed the statute to allow courts entering stalking and harassment protection orders to order a respondent to surrender firearms under RCW 9.41.800 (the surrender statute) under certain circumstances.

SSB 5282/Ch. 216 Laws of 2013 (amending RCW 9.41.097, .047, .070, .090, and .173, as well as creating new sections related to distribution of mental health information).

This bill changed state law to require mental health Regional Support Networks (now called Behavioral Health Organizations) to submit mental health commitment records to the Department of Social & Health Services (DSHS) within 24 hours for purposes of DSHS’ background check. In addition, the bill directed a multi-agency workgroup, chaired by the Department of Licensing to make recommendations regarding the consolidation of mental health commitment records used in firearm background checks. The resulting report, “Consolidation of Statewide Involuntary Commitment Information,” was completed in December 2013.

SHB 1612/Ch. 183 Laws of 2013 (amending RCW 9.41.010; creating RCE 9.41.330, .333 and .335).

This bill changed state law to require registration of felony firearm offenders in certain cases. Registration occurs with the sheriff within 48 hours of release from custody, or from the date the court imposes a sentence if no confinement was ordered. Washington State Patrol is required to maintain the database. Failing to register is a gross misdemeanor.

Initiative 594 was approved by voters in 2014 (amending RCW 9.41.010, .090, .122, .124 and related tax provisions; creating RCW 9.41.113 and .115).

This measure changed Washington law to extend the background check requirements used for firearms sales by licensed dealers to all private firearms sales and transfers where at least one party is in Washington. Background checks are required for any sale or transfer of a firearm, whether for money or as a gift or loan, with certain exceptions described below. Background checks are required for both private sales and transfers of handguns and long guns and the background check must be completed through a licensed dealer as though the dealer were selling from his or her inventory.

Thus, as a result of Initiative 594 if neither party to the sale or transfer of a firearm is a firearms dealer, then a firearms dealer must assist in the sale or transfer. At gun shows or for sales between two private parties, for example, the transaction now involves the seller, the buyer, and a licensed dealer who performs the background check on the buyer or recipient of the firearm. The firearms dealer is permitted to charge a fee for these services. Under Initiative 594, the check must occur within ten business days, an extension of five days from the prior law.

Initiative 594 contains certain exceptions to the background check requirement. For a complete list of exceptions, see RCW 9.41.113(4). For example, gifts between certain family members, antique firearms, and temporary transfers to prevent imminent death or great bodily harm are not subject to background checks. Other exceptions include transfers between spouses, between law enforcement officers acting in their official capacity, members of the military and federal officials. Federally licensed gunsmiths who receive firearms solely to service or repair them are not required to undergo background checks.

ESHB 1840/Ch. 111 Laws of 2014 (amending RCW 9.41.040 and .800; creating RCW 9.41.802 and .804).

This bill changed Washington law to include sexual assault protection orders in the list of prohibitions that enable a court to order the surrender of firearms or a concealed pistol license, requires the individual to file proof of surrender with the court, directs the Administrative Office of the Court to develop pattern forms, and requires law enforcement agencies to develop policies and procedures regarding the surrendering of firearms. This bill, along with HB 1383, aligns state law with federal law (18 USC 922(g)(8)).

SSB 5381/Ch. 130 Laws of 2015 (creating RCW 9.41.345).

This bill changed Washington law to create a protocol for law enforcement to notify family members, at the family's request, when firearms are returned to an individual who previously had firearms confiscated. If a court orders the return of a firearm or law enforcement determines that it can no longer hold a firearm, law enforcement must notify in writing family and household members requesting notice prior to the return of the firearm to the owner.