
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: S-5994.2/18 2nd draft

ATTY/TYPIST: CL:amh

BRIEF DESCRIPTION: Improving security in schools and the safety of students.

1 AN ACT Relating to improving security in schools and the safety
2 of students by: Implementing school emergency response systems and
3 notifications; creating a program to provide students and the
4 community with the means to report unsafe or violent activities;
5 establishing regional school safety centers; facilitating school
6 resources officers; addressing participation and topics for the
7 annual school safety summit; requiring the same background check
8 process to purchase certain rifles as is currently required for
9 pistols; prohibiting persons under the age of twenty-one from
10 purchasing certain rifles; and generating funds; amending RCW
11 28A.320.125, 36.28A.080, 28A.300.273, 9.41.090, 9.41.094, 9.41.097,
12 9.41.0975, 9.41.110, 9.41.113, 9.41.124, and 9.41.240; reenacting and
13 amending RCW 9.41.010; adding new sections to chapter 36.28A RCW;
14 adding a new section to chapter 28A.630 RCW; adding new sections to
15 chapter 28A.300 RCW; adding a new section to chapter 28A.320 RCW;
16 adding a new section to chapter 28A.150 RCW; adding a new section to
17 chapter 28A.310 RCW; creating a new section; repealing RCW
18 28A.310.505; prescribing penalties; providing an expiration date; and
19 declaring an emergency.

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

1 NEW SECTION. **Sec. 1.** The legislature intends to increase the
2 safety and well-being of our children and schools through the
3 provisions of this act.

4 According to one analysis, more than one hundred fifty thousand
5 students attending at least one hundred seventy schools have
6 experienced a shooting on campus since the Columbine massacre in
7 1999, including shootings at both Marysville Pilchuck High School and
8 Freeman High School in Spokane in the past three years. In 2016, a
9 nineteen year old legally purchased a semiautomatic rifle in
10 Washington and used it to murder three former classmates from Kamiak
11 High School. In early 2018, an eighteen year old in Everett,
12 Washington purchased a semiautomatic rifle that, according to
13 charging documents, he intended to use in a school shooting at a high
14 school in the area. According to news reports, he noted in his
15 journal that it was "too (expletive) easy" to get a gun. Mass
16 shootings involving the use of semiautomatic rifles across the United
17 States, from Columbine in Colorado, to Sandy Hook Elementary School
18 in Newton, Connecticut to Marjory Stoneman Douglas High School in
19 Parkland, Florida are tragedies that have resulted in dozens of lives
20 lost, including scores of children, as well as lasting impacts like
21 PTSD on those who were injured or witness to these horrific events.

22 The legislature finds that frequently, mass shootings at schools
23 involve individuals who show warning signs. Programs that allow
24 anonymous reporting of potentially unsafe or violent activities will
25 help prevent school shootings before they occur. Providing funds to
26 schools to implement emergency response systems will, in the
27 unfortunate event a mass shooting at a school begins, provide for a
28 more rapid and effective response.

29 The legislature also finds that according to research, eighteen
30 to twenty year olds commit a disproportionate number of firearm
31 homicides in the United States and are more likely to use firearms in
32 violent crime. Federal law prohibits the sale of pistols to
33 individuals under twenty-one and at least a dozen states further
34 restrict the ownership or possession of firearms by individuals under
35 the age of twenty-one. Studies show that shootings where
36 semiautomatic rifles are used result in one hundred thirty-five
37 percent more people shot and fifty-seven percent more people killed,
38 compared with other mass shootings. Ensuring that purchasers of
39 semiautomatic rifles are subject to the same purchase and background
40 check requirements as handguns will help reduce the ability of

1 potential mass shooters to inflict significant injury and death among
2 innocent victims.

3 **Part I - School Emergency Response Systems and Notification**

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.28A
5 RCW to read as follows:

6 (1) Subject to the availability of amounts appropriated for this
7 specific purpose, the Washington association of sheriffs and police
8 chiefs must develop and implement emergency response systems using
9 evolving technology to expedite the response and arrival of law
10 enforcement in the event of a threat or emergency at a school. Such a
11 system must be consistent with the requirements of RCW 28A.335.010.
12 To the extent practicable, the system should be incorporated into, or
13 interoperable with, the statewide first responder building mapping
14 information system established in RCW 36.28A.060 and the students
15 protecting students program established in section 6 of this act.

16 (2) Information and records prepared, owned, used, or retained by
17 the Washington association of sheriffs and police chiefs pursuant to
18 this section are exempt from public disclosure under chapter 42.56
19 RCW.

20 **Sec. 3.** RCW 28A.320.125 and 2017 c 165 s 1 are each amended to
21 read as follows:

22 (1) The legislature considers it to be a matter of public safety
23 for public schools and staff to have current safe school plans and
24 procedures in place, fully consistent with federal law. The
25 legislature further finds and intends, by requiring safe school plans
26 to be in place, that school districts will become eligible for
27 federal assistance. The legislature further finds that schools are in
28 a position to serve the community in the event of an emergency
29 resulting from natural disasters or man-made disasters.

30 (2) Schools and school districts shall consider the guidance
31 provided by the superintendent of public instruction, including the
32 comprehensive school safety checklist and the model comprehensive
33 safe school plans that include prevention, intervention, all hazard/
34 crisis response, and postcrisis recovery, when developing their own
35 individual comprehensive safe school plans. Each school district
36 shall adopt, no later than September 1, 2008, and implement a safe

1 school plan consistent with the school mapping information system
2 pursuant to RCW 36.28A.060. The plan shall:

3 (a) Include required school safety policies and procedures;

4 (b) Address emergency mitigation, preparedness, response, and
5 recovery;

6 (c) Include provisions for assisting and communicating with
7 students and staff, including those with special needs or
8 disabilities;

9 (d) Use the training guidance provided by the Washington
10 emergency management division of the state military department in
11 collaboration with the Washington state office of the superintendent
12 of public instruction school safety center and the school safety
13 center advisory committee;

14 (e) Require the building principal to be certified on the
15 incident command system;

16 (f) Take into account the manner in which the school facilities
17 may be used as a community asset in the event of a community-wide
18 emergency; and

19 (g) Set guidelines for requesting city or county law enforcement
20 agencies, local fire departments, emergency service providers, and
21 county emergency management agencies to meet with school districts
22 and participate in safety-related drills.

23 (3) To the extent funds are available, school districts shall
24 annually:

25 (a) Review and update safe school plans in collaboration with
26 local emergency response agencies;

27 (b) Conduct an inventory of all hazardous materials;

28 (c) Update information on the school mapping information system
29 to reflect current staffing and updated plans, including:

30 (i) Identifying all staff members who are trained on the national
31 incident management system, trained on the incident command system,
32 or are certified on the incident command system; and

33 (ii) Identifying school transportation procedures for evacuation,
34 to include bus staging areas, evacuation routes, communication
35 systems, parent-student reunification sites, and secondary
36 transportation agreements consistent with the school mapping
37 information system; and

38 (d) Provide information to all staff on the use of emergency
39 supplies and notification and alert procedures.

1 (4) To the extent funds are available, school districts shall
2 annually record and report on the information and activities required
3 in subsection (3) of this section to the Washington association of
4 sheriffs and police chiefs.

5 (5) School districts are encouraged to work with local emergency
6 management agencies and other emergency responders to conduct one
7 tabletop exercise, one functional exercise, and two full-scale
8 exercises within a four-year period.

9 (6)(a) Due to geographic location, schools have unique safety
10 challenges. It is the responsibility of school principals and
11 administrators to assess the threats and hazards most likely to
12 impact their school, and to practice three basic functional drills,
13 shelter-in-place, lockdown, and evacuation, as these drills relate to
14 those threats and hazards. Some threats or hazards may require the
15 use of more than one basic functional drill.

16 (b) Schools shall conduct at least one safety-related drill per
17 month, including summer months when school is in session with
18 students. These drills must teach students three basic functional
19 drill responses:

20 (i) "Shelter-in-place," used to limit the exposure of students
21 and staff to hazardous materials, such as chemical, biological, or
22 radiological contaminants, released into the environment by isolating
23 the inside environment from the outside;

24 (ii) "Lockdown," used to isolate students and staff from threats
25 of violence, such as suspicious trespassers or armed intruders, that
26 may occur in a school or in the vicinity of a school; and

27 (iii) "Evacuation," used to move students and staff away from
28 threats, such as fires, oil train spills, or tsunamis.

29 (c) The drills described in (b) of this subsection must
30 incorporate the following requirements:

31 (i) Use of the school mapping information system in at least one
32 of the safety-related drills; and

33 (ii) A pedestrian evacuation drill for schools in mapped tsunami
34 hazard zones.

35 (d) The drills described in (b) of this subsection may
36 incorporate an earthquake drill using the state-approved earthquake
37 safety technique "drop, cover, and hold."

38 (e) Schools shall document the date, time, and type (shelter-in-
39 place, lockdown, or evacuate) of each drill required under this
40 subsection (6), and maintain the documentation in the school office.

1 (f) This subsection (6) is intended to satisfy all federal
2 requirements for comprehensive school emergency drills and
3 evacuations.

4 (7) Educational service districts are encouraged to apply for
5 federal emergency response and crisis management grants with the
6 assistance of the superintendent of public instruction and the
7 Washington emergency management division of the state military
8 department.

9 (8) The superintendent of public instruction may adopt rules to
10 implement provisions of this section. These rules may include, but
11 are not limited to, provisions for evacuations, lockdowns, or other
12 components of a comprehensive safe school plan.

13 (9)(a) Whenever a first responder agency notifies a school of a
14 situation which may necessitate an evacuation or lockdown, the agency
15 must also determine if other schools in the vicinity are similarly
16 threatened and must notify every other school in the vicinity for
17 which an evacuation or lockdown appears reasonably necessary. For
18 purposes of this subsection, "school" includes a private school under
19 chapter 28A.195 RCW.

20 (b) A first responder agency and its officers, agents, and
21 employees are not liable for any act, or failure to act, under this
22 subsection unless a first responder agency and its officers, agents,
23 and employees acted with willful disregard.

24 **Sec. 4.** RCW 36.28A.080 and 2003 c 102 s 4 are each amended to
25 read as follows:

26 Units of local government and their employees, as provided in RCW
27 36.28A.010, are immune from civil liability for damages arising out
28 of the creation and use of the statewide first responder building
29 mapping information system as provided in RCW 36.28A.060 or the
30 emergency response system as provided in section 2 of this act,
31 unless it is shown that an employee acted with gross negligence or
32 bad faith.

33 **Part II - Students Protecting Students**

34 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.630
35 RCW to read as follows:

1 (1) By May 1, 2018, school districts must report the following
2 information to the office of the superintendent of public
3 instruction:

4 (a) Any incident alert and reporting system in use by the
5 district; and

6 (b) If the district is not using an incident alert and reporting
7 system as of the effective date of this section, the barriers that
8 the district faces in implementing an incident alert and reporting
9 system. Barriers may include lack of support, training, availability,
10 awareness, or financial resources.

11 (2) The office of the superintendent of public instruction must
12 compile the district information required under this section and
13 report it to the appropriate committees of the legislature by June 1,
14 2018, and in compliance with RCW 43.01.036.

15 (3) This section expires August 1, 2021.

16 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.300
17 RCW to read as follows:

18 (1) Subject to the availability of amounts appropriated for this
19 specific purpose, the office of the superintendent of public
20 instruction must contract with a vendor to make available to public
21 schools an incident alert and reporting system, by the 2019-20 school
22 year. The incident alert and reporting system, named the students
23 protecting students program, must have, at a minimum, the following
24 features:

25 (a) Availability as a mobile application;

26 (b) Fast, secure, and anonymous reporting by students to school
27 administrators of activities or the threat of activities that are
28 inappropriate, unsafe, harmful, dangerous, unethical, or illegal;

29 (c) Two-way messaging;

30 (d) The ability to include text, image, and video in reports and
31 messages;

32 (e) The ability to designate school administrators to receive and
33 respond to reports; and

34 (f) Protection of the privacy of student data, consistent with
35 federal and state laws.

36 (2) Subject to the availability of amounts appropriated for this
37 specific purpose, the office of the superintendent of public
38 instruction must contract for updates to the students protecting
39 students program as new technology is available.

1 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.320
2 RCW to read as follows:

3 (1) Subject to the availability of amounts appropriated for this
4 specific purpose, beginning in the 2019-20 school year, and except as
5 provided in subsection (2) of this section, school districts must
6 implement the students protecting students program, created under
7 section 6 of this act, in middle or junior high schools, and high
8 schools.

9 (2) A school district that will be unable to implement the
10 students protecting students program that is created in section 6 of
11 this act, during the 2019-20 school year must submit a students
12 protecting students implementation plan to the office of the
13 superintendent of public instruction by the start of the 2019-20
14 school year.

15 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.150
16 RCW to read as follows:

17 An appointed or elected public official, public employee, or
18 public agency as defined in RCW 4.24.470, or units of local
19 government and its employees, as provided in RCW 36.28A.010, are
20 immune from civil liability for damages resulting from the creation
21 and use of the incident alert and reporting system provided in
22 sections 5 and 6 of this act, unless it is shown that the official,
23 employee, or agency acted with gross negligence or in bad faith.

24 **Part III - Regional School Safety**

25 NEW SECTION. **Sec. 9.** A new section is added to chapter 28A.310
26 RCW to read as follows:

27 (1) Subject to the availability of amounts appropriated for this
28 specific purpose, two educational service districts, selected by the
29 office of the superintendent of public instruction in coordination
30 with the nine educational service districts, must establish regional
31 school safety centers as part of a statewide network, and as required
32 under this section. One of the regional school safety centers must be
33 located east of the crest of the Cascade mountains, and one of the
34 regional school safety centers must be located west of the crest of
35 the Cascade mountains.

36 (2) The purpose of this statewide network is to provide regional
37 coordination of school safety efforts related to behavioral health

1 threat assessment and suicide prevention across the state and to
2 provide school safety resources related to behavioral health threat
3 assessment and suicide prevention to the school districts in the
4 region.

5 (3) The regional school safety centers must consult with the
6 state school safety center within the office of the superintendent of
7 public instruction in order to unify discussions around safety across
8 the state.

9 (4) For the purpose of implementing regional school safety
10 centers, the two selected educational service districts must employ a
11 behavioral health threat assessment coordinator.

12 (5) Private schools under chapter 28A.195 RCW may contract with
13 regional school safety centers for school safety resources and
14 services.

15 (6) The regional school safety centers must provide technical
16 assistance to school districts seeking funding for first aid, health,
17 and safety and security resources including defibrillators and saws
18 with automatic braking systems.

19 NEW SECTION. **Sec. 10.** RCW 28A.310.505 (Regional school safety
20 and security programs) and 2016 c 240 s 6 are each repealed.

21 NEW SECTION. **Sec. 11.** A new section is added to chapter 28A.300
22 RCW to read as follows:

23 (1) Subject to the availability of amounts appropriated for this
24 specific purpose, the office of the superintendent of public
25 instruction in coordination with educational service districts will
26 review safe schools plans for all school districts and educational
27 service districts, and assess and document school district and
28 regional school safety assets and needs.

29 (2) Subject to the availability of amounts appropriated for this
30 specific purpose, the office of the superintendent of public
31 instruction must provide grants to educational service districts and
32 school districts to develop or expand regional safety programs to
33 address student safety.

34 (3) At a minimum, grant recipients must address development and
35 documentation of comprehensive safe schools plans for districts and
36 schools within their region which build on multitiered systems of
37 support; incorporate best practices in threat assessment; include a
38 process for notifying schools, including private schools, of safety

1 emergencies; and make recommendations for appropriate safety
2 technologies consistent with regional needs.

3 (4) By November 1, 2019, and in compliance with RCW 43.01.036,
4 the office of the superintendent of public instruction shall report
5 to the education and fiscal committees of the legislature on the
6 results of the statewide review of safe schools plans and on the
7 activities, progress, and recommendations of the grant recipients.

8 **Part IV - Facilitating School Resource Officers**

9 NEW SECTION. **Sec. 12.** A new section is added to chapter 36.28A
10 RCW to read as follows:

11 (1) Subject to the availability of amounts appropriated for this
12 specific purpose, the Washington association of sheriffs and police
13 chiefs must establish and implement a grant program to fund school
14 resource officers. Grants must be awarded to proposals submitted
15 jointly between local law enforcement agencies and public school
16 entities. Grant applications must be reviewed using peer review
17 panels. The Washington association of sheriffs and police chiefs may
18 prioritize grant applications that include local matching funds.

19 (2) The Washington association of sheriffs and police chiefs must
20 submit an annual report to the governor and appropriate committees of
21 the legislature on the program. The report must include information
22 on grant recipients, use of grant funds, and feedback from grant
23 recipients by December 1st of each year the program is funded.

24 (3) Nothing in this section prohibits the Washington association
25 of sheriffs and police chiefs from soliciting or accepting private
26 funds to support the purposes of the program created in this section.

27 **Part V - Annual School Safety Summit**

28 **Sec. 13.** RCW 28A.300.273 and 2016 c 240 s 3 are each amended to
29 read as follows:

30 (1) Subject to the availability of amounts appropriated for this
31 specific purpose, the office of the superintendent of public
32 instruction and the school safety advisory committee shall hold
33 annual school safety summits. Each annual summit must focus on
34 establishing and monitoring the progress of a statewide plan for
35 funding cost-effective methods for school safety that meet local
36 needs and takes into account the discrete challenges of nonrural and

1 rural schools. Other areas of focus may include planning and
2 implementation of school safety planning efforts, training of school
3 safety professionals, and integrating mental health and security
4 measures. Summit participants must review Sandy Hook promise programs
5 and make recommendations for the prevention of mass shootings in
6 schools.

7 (2) Summit participants must be appointed no later than August 1,
8 2016.

9 (a) The majority and minority leaders of the senate shall appoint
10 two members from each of the relevant caucuses of the senate.

11 (b) The speaker of the house of representatives shall appoint two
12 members from each of the two largest caucuses of the house of
13 representatives.

14 (c) The governor shall appoint one representative.

15 (3) Other summit participants may include representatives from
16 the office of the superintendent of public instruction, the criminal
17 justice training commission, the department of health, educational
18 service districts, educational associations, private schools,
19 emergency management, law enforcement, fire departments, parent
20 organizations, and student organizations.

21 (4) Staff support for the annual summit shall be provided by the
22 office of the superintendent of public instruction and the school
23 safety advisory committee.

24 (5) Legislative members of the summit are reimbursed for travel
25 expenses in accordance with RCW 44.04.120. Nonlegislative members are
26 not entitled to be reimbursed for travel expenses if they are elected
27 officials or are participating on behalf of an employer, governmental
28 entity, or other organization. Any reimbursement for other
29 nonlegislative members is subject to chapter 43.03 RCW.

30 **Part VI - Semiautomatic Rifles**

31 **Sec. 14.** RCW 9.41.010 and 2017 c 264 s 1 are each reenacted and
32 amended to read as follows:

33 Unless the context clearly requires otherwise, the definitions in
34 this section apply throughout this chapter.

35 (1) "Antique firearm" means a firearm or replica of a firearm not
36 designed or redesigned for using rim fire or conventional center fire
37 ignition with fixed ammunition and manufactured in or before 1898,
38 including any matchlock, flintlock, percussion cap, or similar type

1 of ignition system and also any firearm using fixed ammunition
2 manufactured in or before 1898, for which ammunition is no longer
3 manufactured in the United States and is not readily available in the
4 ordinary channels of commercial trade.

5 (2) "Barrel length" means the distance from the bolt face of a
6 closed action down the length of the axis of the bore to the crown of
7 the muzzle, or in the case of a barrel with attachments to the end of
8 any legal device permanently attached to the end of the muzzle.

9 (3) "Crime of violence" means:

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

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

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

26 (4) "Curio or relic" has the same meaning as provided in 27
27 C.F.R. Sec. 478.11.

28 (5) "Dealer" means a person engaged in the business of selling
29 firearms at wholesale or retail who has, or is required to have, a
30 federal firearms license under 18 U.S.C. Sec. 923(a). A person who
31 does not have, and is not required to have, a federal firearms
32 license under 18 U.S.C. Sec. 923(a), is not a dealer if that person
33 makes only occasional sales, exchanges, or purchases of firearms for
34 the enhancement of a personal collection or for a hobby, or sells all
35 or part of his or her personal collection of firearms.

36 (6) "Family or household member" means "family" or "household
37 member" as used in RCW 10.99.020.

38 (7) "Felony" means any felony offense under the laws of this
39 state or any federal or out-of-state offense comparable to a felony
40 offense under the laws of this state.

1 (8) "Felony firearm offender" means a person who has previously
2 been convicted or found not guilty by reason of insanity in this
3 state of any felony firearm offense. A person is not a felony firearm
4 offender under this chapter if any and all qualifying offenses have
5 been the subject of an expungement, pardon, annulment, certificate,
6 or rehabilitation, or other equivalent procedure based on a finding
7 of the rehabilitation of the person convicted or a pardon, annulment,
8 or other equivalent procedure based on a finding of innocence.

9 (9) "Felony firearm offense" means:

10 (a) Any felony offense that is a violation of this chapter;

11 (b) A violation of RCW 9A.36.045;

12 (c) A violation of RCW 9A.56.300;

13 (d) A violation of RCW 9A.56.310;

14 (e) Any felony offense if the offender was armed with a firearm
15 in the commission of the offense.

16 (10) "Firearm" means a weapon or device from which a projectile
17 or projectiles may be fired by an explosive such as gunpowder.
18 "Firearm" does not include a flare gun or other pyrotechnic visual
19 distress signaling device, or a powder-actuated tool or other device
20 designed solely to be used for construction purposes.

21 (11) "Gun" has the same meaning as firearm.

22 (12) "Law enforcement officer" includes a general authority
23 Washington peace officer as defined in RCW 10.93.020, or a specially
24 commissioned Washington peace officer as defined in RCW 10.93.020.
25 "Law enforcement officer" also includes a limited authority
26 Washington peace officer as defined in RCW 10.93.020 if such officer
27 is duly authorized by his or her employer to carry a concealed
28 pistol.

29 (13) "Lawful permanent resident" has the same meaning afforded a
30 person "lawfully admitted for permanent residence" in 8 U.S.C. Sec.
31 1101(a)(20).

32 (14) "Licensed collector" means a person who is federally
33 licensed under 18 U.S.C. Sec. 923(b).

34 (15) "Licensed dealer" means a person who is federally licensed
35 under 18 U.S.C. Sec. 923(a).

36 (16) "Loaded" means:

37 (a) There is a cartridge in the chamber of the firearm;

38 (b) Cartridges are in a clip that is locked in place in the
39 firearm;

1 (c) There is a cartridge in the cylinder of the firearm, if the
2 firearm is a revolver;

3 (d) There is a cartridge in the tube or magazine that is inserted
4 in the action; or

5 (e) There is a ball in the barrel and the firearm is capped or
6 primed if the firearm is a muzzle loader.

7 (17) "Machine gun" means any firearm known as a machine gun,
8 mechanical rifle, submachine gun, or any other mechanism or
9 instrument not requiring that the trigger be pressed for each shot
10 and having a reservoir clip, disc, drum, belt, or other separable
11 mechanical device for storing, carrying, or supplying ammunition
12 which can be loaded into the firearm, mechanism, or instrument, and
13 fired therefrom at the rate of five or more shots per second.

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

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

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

22 (21) "Rifle" means a weapon designed or redesigned, made or
23 remade, and intended to be fired from the shoulder and designed or
24 redesigned, made or remade, and intended to use the energy of the
25 explosive in a fixed metallic cartridge to fire only a single
26 projectile through a rifled bore for each single pull of the trigger.

27 (22) "Sale" and "sell" mean the actual approval of the delivery
28 of a firearm in consideration of payment or promise of payment.

29 (23) "Serious offense" means any of the following felonies or a
30 felony attempt to commit any of the following felonies, as now
31 existing or hereafter amended:

32 (a) Any crime of violence;

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

36 (c) Child molestation in the second degree;

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

38 (e) Indecent liberties;

39 (f) Leading organized crime;

40 (g) Promoting prostitution in the first degree;

1 (h) Rape in the third degree;

2 (i) Drive-by shooting;

3 (j) Sexual exploitation;

4 (k) Vehicular assault, when caused by the operation or driving of
5 a vehicle by a person while under the influence of intoxicating
6 liquor or any drug or by the operation or driving of a vehicle in a
7 reckless manner;

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

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

14 (n) Any other felony with a deadly weapon verdict under RCW
15 9.94A.825;

16 (o) Any felony offense in effect at any time prior to June 6,
17 1996, that is comparable to a serious offense, or any federal or out-
18 of-state conviction for an offense that under the laws of this state
19 would be a felony classified as a serious offense; or

20 (p) Any felony conviction under RCW 9.41.115.

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

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

29 (26) "Shotgun" means a weapon with one or more barrels, designed
30 or redesigned, made or remade, and intended to be fired from the
31 shoulder and designed or redesigned, made or remade, and intended to
32 use the energy of the explosive in a fixed shotgun shell to fire
33 through a smooth bore either a number of ball shot or a single
34 projectile for each single pull of the trigger.

35 (27) "Transfer" means the intended delivery of a firearm to
36 another person without consideration of payment or promise of payment
37 including, but not limited to, gifts and loans. "Transfer" does not
38 include the delivery of a firearm owned or leased by an entity
39 licensed or qualified to do business in the state of Washington to,
40 or return of such a firearm by, any of that entity's employees or

1 agents, defined to include volunteers participating in an honor
2 guard, for lawful purposes in the ordinary course of business.

3 (28) "Unlicensed person" means any person who is not a licensed
4 dealer under this chapter.

5 (29) "Semiautomatic rifle" means a rifle which utilizes a portion
6 of the energy of a firing cartridge to extract the fired cartridge
7 case and chamber the next round, and which requires a separate pull
8 of the trigger to fire each cartridge.

9 **Sec. 15.** RCW 9.41.090 and 2015 c 1 s 5 are each amended to read
10 as follows:

11 (1) In addition to the other requirements of this chapter, no
12 dealer may deliver a pistol or semiautomatic rifle to the purchaser
13 thereof until:

14 (a) The purchaser produces a valid concealed pistol license and
15 the dealer has recorded the purchaser's name, license number, and
16 issuing agency, such record to be made in triplicate and processed as
17 provided in subsection (5) of this section. For purposes of this
18 subsection (1)(a), a "valid concealed pistol license" does not
19 include a temporary emergency license, and does not include any
20 license issued before July 1, 1996, unless the issuing agency
21 conducted a records search for disqualifying crimes under RCW
22 9.41.070 at the time of issuance;

23 (b) The dealer is notified in writing by the chief of police or
24 the sheriff of the jurisdiction in which the purchaser resides that
25 the purchaser is eligible to possess a pistol or semiautomatic rifle
26 under RCW 9.41.040 and that the application to purchase is approved
27 by the chief of police or sheriff; or

28 (c) The requirements or time periods in RCW 9.41.092 have been
29 satisfied.

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

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

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

1 (5)(a) At the time of applying for the purchase of a pistol or
2 semiautomatic rifle, the purchaser shall sign in triplicate and
3 deliver to the dealer an application containing:

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

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

7 (iii) The applicant's driver's license number or state
8 identification card number;

9 (iv) If purchasing a pistol or semiautomatic rifle, a description
10 of the pistol or semiautomatic rifle including the make, model,
11 caliber and manufacturer's number if available at the time of
12 applying for the purchase of a pistol or semiautomatic rifle. If the
13 manufacturer's number is not available at the time of purchase of the
14 pistol or semiautomatic rifle, the application may be processed, but
15 delivery of the pistol or semiautomatic rifle to the purchaser may
16 not occur unless the manufacturer's number is recorded on the
17 application by the dealer and transmitted to the chief of police of
18 the municipality or the sheriff of the county in which the purchaser
19 resides; and a statement that the purchaser is eligible to possess a
20 pistol or semiautomatic rifle under ((RCW—9.41.040)) state and
21 federal law.

22 (b) The application shall contain a warning substantially as
23 follows:

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

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

34 (c) The dealer shall, by the end of the business day, sign and
35 attach his or her address and deliver a copy of the application and
36 such other documentation as required under subsection (1) of this
37 section to the chief of police of the municipality or the sheriff of
38 the county of which the purchaser is a resident. The triplicate shall
39 be retained by the dealer for six years. The dealer shall deliver the

1 pistol or semiautomatic rifle to the purchaser following the period
2 of time specified in this chapter unless the dealer is notified of an
3 investigative hold under subsection (4) of this section in writing by
4 the chief of police of the municipality or the sheriff of the county,
5 whichever is applicable, denying the purchaser's application to
6 purchase and the grounds thereof. The application shall not be denied
7 unless the purchaser is not eligible to possess a pistol or
8 semiautomatic rifle under ((~~RCW 9.41.040 or 9.41.045, or~~)) state or
9 federal law.

10 (d) The chief of police of the municipality or the sheriff of the
11 county shall retain or destroy applications to purchase a pistol or
12 semiautomatic rifle in accordance with the requirements of 18 U.S.C.
13 Sec. 922.

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

17 (7) This section does not apply to sales to licensed dealers for
18 resale or to the sale of antique firearms.

19 **Sec. 16.** RCW 9.41.094 and 1994 sp.s. c 7 s 411 are each amended
20 to read as follows:

21 A signed application to purchase a pistol or semiautomatic rifle
22 shall constitute a waiver of confidentiality and written request that
23 the department of social and health services, mental health
24 institutions, and other health care facilities release, to an
25 inquiring court or law enforcement agency, information relevant to
26 the applicant's eligibility to purchase a pistol or semiautomatic
27 rifle to an inquiring court or law enforcement agency.

28 **Sec. 17.** RCW 9.41.097 and 2009 c 216 s 6 are each amended to
29 read as follows:

30 (1) The department of social and health services, mental health
31 institutions, and other health care facilities shall, upon request of
32 a court or law enforcement agency, supply such relevant information
33 as is necessary to determine the eligibility of a person to possess a
34 pistol or semiautomatic rifle or to be issued a concealed pistol
35 license under RCW 9.41.070 or to purchase a pistol or semiautomatic
36 rifle under RCW 9.41.090.

37 (2) Mental health information received by: (a) The department of
38 licensing pursuant to RCW 9.41.047 or 9.41.173; (b) an issuing

1 authority pursuant to RCW 9.41.047 or 9.41.070; (c) a chief of police
2 or sheriff pursuant to RCW 9.41.090 or 9.41.173; (d) a court or law
3 enforcement agency pursuant to subsection (1) of this section, shall
4 not be disclosed except as provided in RCW 42.56.240(4).

5 **Sec. 18.** RCW 9.41.0975 and 2009 c 216 s 7 are each amended to
6 read as follows:

7 (1) The state, local governmental entities, any public or private
8 agency, and the employees of any state or local governmental entity
9 or public or private agency, acting in good faith, are immune from
10 liability:

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

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

15 (c) For issuing a concealed pistol license or alien firearm
16 license to a person ineligible for such a license;

17 (d) For failing to issue a concealed pistol license or alien
18 firearm license to a person eligible for such a license;

19 (e) For revoking or failing to revoke an issued concealed pistol
20 license or alien firearm license;

21 (f) For errors in preparing or transmitting information as part
22 of determining a person's eligibility to receive or possess a
23 firearm, or eligibility for a concealed pistol license or alien
24 firearm license;

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

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

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

31 (a) Directing an issuing agency to issue a concealed pistol
32 license or alien firearm license wrongfully refused;

33 (b) Directing a law enforcement agency to approve an application
34 to purchase a pistol or semiautomatic rifle wrongfully denied;

35 (c) Directing that erroneous information resulting either in the
36 wrongful refusal to issue a concealed pistol license or alien firearm
37 license or in the wrongful denial of a purchase application for a
38 pistol or semiautomatic rifle be corrected; or

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

3 The application for the writ may be made in the county in which
4 the application for a concealed pistol license or alien firearm
5 license or to purchase a pistol or semiautomatic rifle was made, or
6 in Thurston county, at the discretion of the petitioner. A court
7 shall provide an expedited hearing for an application brought under
8 this subsection (2) for a writ of mandamus. A person granted a writ
9 of mandamus under this subsection (2) shall be awarded reasonable
10 attorneys' fees and costs.

11 **Sec. 19.** RCW 9.41.110 and 2009 c 479 s 10 are each amended to
12 read as follows:

13 (1) No dealer may sell or otherwise transfer, or expose for sale
14 or transfer, or have in his or her possession with intent to sell, or
15 otherwise transfer, any pistol or semiautomatic rifle without being
16 licensed as provided in this section.

17 (2) No dealer may sell or otherwise transfer, or expose for sale
18 or transfer, or have in his or her possession with intent to sell, or
19 otherwise transfer, any firearm other than a pistol or semiautomatic
20 rifle without being licensed as provided in this section.

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

25 (4) The duly constituted licensing authorities of any city, town,
26 or political subdivision of this state shall grant licenses in forms
27 prescribed by the director of licensing effective for not more than
28 one year from the date of issue permitting the licensee to sell
29 firearms within this state subject to the following conditions, for
30 breach of any of which the license shall be forfeited and the
31 licensee subject to punishment as provided in RCW 9.41.010 through
32 9.41.810. A licensing authority shall forward a copy of each license
33 granted to the department of licensing. The department of licensing
34 shall notify the department of revenue of the name and address of
35 each dealer licensed under this section.

36 (5)(a) A licensing authority shall, within thirty days after the
37 filing of an application of any person for a dealer's license,
38 determine whether to grant the license. However, if the applicant
39 does not have a valid permanent Washington driver's license or

1 Washington state identification card, or has not been a resident of
2 the state for the previous consecutive ninety days, the licensing
3 authority shall have up to sixty days to determine whether to issue a
4 license. No person shall qualify for a license under this section
5 without first receiving a federal firearms license and undergoing
6 fingerprinting and a background check. In addition, no person
7 ineligible to possess a firearm under RCW 9.41.040 or ineligible for
8 a concealed pistol license under RCW 9.41.070 shall qualify for a
9 dealer's license.

10 (b) A dealer shall require every employee who may sell a firearm
11 in the course of his or her employment to undergo fingerprinting and
12 a background check. An employee must be eligible to possess a
13 firearm, and must not have been convicted of a crime that would make
14 the person ineligible for a concealed pistol license, before being
15 permitted to sell a firearm. Every employee shall comply with
16 requirements concerning purchase applications and restrictions on
17 delivery of pistols or semiautomatic rifles that are applicable to
18 dealers.

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

23 (b) A dealer may conduct business temporarily at a location other
24 than the building designated in the license, if the temporary
25 location is within Washington state and is the location of a gun show
26 sponsored by a national, state, or local organization, or an
27 affiliate of any such organization, devoted to the collection,
28 competitive use, or other sporting use of firearms in the community.
29 Nothing in this subsection (6)(b) authorizes a dealer to conduct
30 business in or from a motorized or towed vehicle.

31 In conducting business temporarily at a location other than the
32 building designated in the license, the dealer shall comply with all
33 other requirements imposed on dealers by RCW 9.41.090(~~(7)~~) and
34 9.41.100, and (~~(9.41.110)~~) this section. The license of a dealer who
35 fails to comply with the requirements of RCW 9.41.080 and 9.41.090
36 and subsection (8) of this section while conducting business at a
37 temporary location shall be revoked, and the dealer shall be
38 permanently ineligible for a dealer's license.

39 (7) The license or a copy thereof, certified by the issuing
40 authority, shall be displayed on the premises in the area where

1 firearms are sold, or at the temporary location, where it can easily
2 be read.

3 (8)(a) No pistol or semiautomatic rifle may be sold: (i) In
4 violation of any provisions of RCW 9.41.010 through 9.41.810; nor
5 (ii) may a pistol or semiautomatic rifle be sold under any
6 circumstances unless the purchaser is personally known to the dealer
7 or shall present clear evidence of his or her identity.

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

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

22 (9)(a) A true record (~~(in triplicate)~~) shall be made of every
23 pistol or semiautomatic rifle sold with sufficient true copies as
24 required by this subsection, in a book kept for the purpose, the form
25 of which may be prescribed by the director of licensing and shall be
26 personally signed by the purchaser and by the person effecting the
27 sale, each in the presence of the other, and shall contain the date
28 of sale, the caliber, make, model and manufacturer's number of the
29 weapon, the name, address, occupation, and place of birth of the
30 purchaser, and a statement signed by the purchaser, that he or she is
31 not ineligible under RCW 9.41.040 to possess a firearm.

32 (b) For the sale of a pistol, the dealer shall: Send one copy
33 (~~(shall)~~) within six hours (~~(be sent)~~) by certified mail to the chief
34 of police of the municipality or the sheriff of the county of which
35 the purchaser is a resident; (~~(the duplicate the dealer shall)~~) send
36 a duplicate copy within seven days (~~(send)~~) to the director of
37 licensing; (~~(the)~~) and retain a triplicate (~~(the dealer shall retain~~
38 ~~for)~~) copy in the dealer's records for a period of six years.

39 (c) For the sale of a semiautomatic rifle, the dealer shall: Send
40 one copy within six hours by certified mail to the chief of police of

1 the municipality or the sheriff of the county of which the purchaser
2 is a resident; and retain a duplicate copy in the dealer's records
3 for a period of six years.

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

6 (11) The dealer's licenses authorized to be issued by this
7 section are general licenses covering all sales by the licensee
8 within the effective period of the licenses. The department shall
9 provide a single application form for dealer's licenses and a single
10 license form which shall indicate the type or types of licenses
11 granted.

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

16 **Sec. 20.** RCW 9.41.113 and 2017 c 264 s 2 are each amended to
17 read as follows:

18 (1) All firearm sales or transfers, in whole or part in this
19 state including without limitation a sale or transfer where either
20 the purchaser or seller or transferee or transferor is in Washington,
21 shall be subject to background checks unless specifically exempted by
22 state or federal law. The background check requirement applies to all
23 sales or transfers including, but not limited to, sales and transfers
24 through a licensed dealer, at gun shows, online, and between
25 unlicensed persons.

26 (2) No person shall sell or transfer a firearm unless:

27 (a) The person is a licensed dealer;

28 (b) The purchaser or transferee is a licensed dealer; or

29 (c) The requirements of subsection (3) of this section are met.

30 (3) Where neither party to a prospective firearms transaction is
31 a licensed dealer, the parties to the transaction shall complete the
32 sale or transfer through a licensed dealer as follows:

33 (a) The seller or transferor shall deliver the firearm to a
34 licensed dealer to process the sale or transfer as if it is selling
35 or transferring the firearm from its inventory to the purchaser or
36 transferee, except that the unlicensed seller or transferor may
37 remove the firearm from the business premises of the licensed dealer
38 while the background check is being conducted. If the seller or
39 transferor removes the firearm from the business premises of the

1 licensed dealer while the background check is being conducted, the
2 purchaser or transferee and the seller or transferor shall return to
3 the business premises of the licensed dealer and the seller or
4 transferor shall again deliver the firearm to the licensed dealer
5 prior to completing the sale or transfer.

6 (b) Except as provided in (a) of this subsection, the licensed
7 dealer shall comply with all requirements of federal and state law
8 that would apply if the licensed dealer were selling or transferring
9 the firearm from its inventory to the purchaser or transferee,
10 including but not limited to conducting a background check on the
11 prospective purchaser or transferee in accordance with federal and
12 state law requirements and fulfilling all federal and state
13 recordkeeping requirements.

14 (c) The purchaser or transferee must complete, sign, and submit
15 all federal, state, and local forms necessary to process the required
16 background check to the licensed dealer conducting the background
17 check.

18 (d) If the results of the background check indicate that the
19 purchaser or transferee is ineligible to possess a firearm, then the
20 licensed dealer shall return the firearm to the seller or transferor.

21 (e) The licensed dealer may charge a fee that reflects the fair
22 market value of the administrative costs and efforts incurred by the
23 licensed dealer for facilitating the sale or transfer of the firearm.

24 (4) No person may sell or transfer a semiautomatic rifle to a
25 person under twenty-one years of age.

26 (5) This section does not apply to:

27 (a) A transfer between immediate family members, which for this
28 subsection shall be limited to spouses, domestic partners, parents,
29 parents-in-law, children, siblings, siblings-in-law, grandparents,
30 grandchildren, nieces, nephews, first cousins, aunts, and uncles,
31 that is a bona fide gift or loan;

32 (b) The sale or transfer of an antique firearm;

33 (c) A temporary transfer of possession of a firearm if such
34 transfer is necessary to prevent imminent death or great bodily harm
35 to the person to whom the firearm is transferred if:

36 (i) The temporary transfer only lasts as long as immediately
37 necessary to prevent such imminent death or great bodily harm; and

38 (ii) The person to whom the firearm is transferred is not
39 prohibited from possessing firearms under state or federal law;

1 (d) A temporary transfer of possession of a firearm if: (i) The
2 transfer is intended to prevent suicide or self-inflicted great
3 bodily harm; (ii) the transfer lasts only as long as reasonably
4 necessary to prevent death or great bodily harm; and (iii) the
5 firearm is not utilized by the transferee for any purpose for the
6 duration of the temporary transfer;

7 (e) Any law enforcement or corrections agency and, to the extent
8 the person is acting within the course and scope of his or her
9 employment or official duties, any law enforcement or corrections
10 officer, United States marshal, member of the armed forces of the
11 United States or the national guard, or federal official;

12 (f) A federally licensed gunsmith who receives a firearm solely
13 for the purposes of service or repair, or the return of the firearm
14 to its owner by the federally licensed gunsmith;

15 (g) The temporary transfer of a firearm (i) between spouses or
16 domestic partners; (ii) if the temporary transfer occurs, and the
17 firearm is kept at all times, at an established shooting range
18 authorized by the governing body of the jurisdiction in which such
19 range is located; (iii) if the temporary transfer occurs and the
20 transferee's possession of the firearm is exclusively at a lawful
21 organized competition involving the use of a firearm, or while
22 participating in or practicing for a performance by an organized
23 group that uses firearms as a part of the performance; (iv) to a
24 person who is under eighteen years of age for lawful hunting,
25 sporting, or educational purposes while under the direct supervision
26 and control of a responsible adult who is not prohibited from
27 possessing firearms; (v) under circumstances in which the transferee
28 and the firearm remain in the presence of the transferor; or (vi)
29 while hunting if the hunting is legal in all places where the person
30 to whom the firearm is transferred possesses the firearm and the
31 person to whom the firearm is transferred has completed all training
32 and holds all licenses or permits required for such hunting, provided
33 that any temporary transfer allowed by this subsection is permitted
34 only if the person to whom the firearm is transferred is not
35 prohibited from possessing firearms under state or federal law;

36 (h) A person who (i) acquired a firearm other than a pistol by
37 operation of law upon the death of the former owner of the firearm or
38 (ii) acquired a pistol by operation of law upon the death of the
39 former owner of the pistol within the preceding sixty days. At the
40 end of the sixty-day period, the person must either have lawfully

1 transferred the pistol or must have contacted the department of
2 licensing to notify the department that he or she has possession of
3 the pistol and intends to retain possession of the pistol, in
4 compliance with all federal and state laws; or

5 (i) A sale or transfer when the purchaser or transferee is a
6 licensed collector and the firearm being sold or transferred is a
7 curio or relic.

8 **Sec. 21.** RCW 9.41.124 and 2015 c 1 s 7 are each amended to read
9 as follows:

10 Residents of a state other than Washington may purchase rifles
11 and shotguns, except those firearms defined as semiautomatic rifles,
12 in Washington: PROVIDED, That such residents conform to the
13 applicable provisions of the federal Gun Control Act of 1968, Title
14 IV, Pub. L. 90-351 as administered by the United States secretary of
15 the treasury: AND PROVIDED FURTHER, That such residents are eligible
16 to purchase or possess such weapons in Washington and in the state in
17 which such persons reside: AND PROVIDED FURTHER, That such residents
18 are subject to the procedures and background checks required by this
19 chapter.

20 **Sec. 22.** RCW 9.41.240 and 1994 sp.s. c 7 s 423 are each amended
21 to read as follows:

22 (1) A person under twenty-one years of age may not purchase a
23 pistol pursuant to Title 18 U.S.C. Sec. 922(b)(1) or a semiautomatic
24 rifle pursuant to RCW 9.41.113.

25 (2) Unless an exception under RCW 9.41.042, 9.41.050, or 9.41.060
26 applies, a person at least eighteen years of age, but less than
27 twenty-one years of age, may possess a pistol only:

28 ~~((1))~~ (a) In the person's place of abode;

29 ~~((2))~~ (b) At the person's fixed place of business; or

30 ~~((3))~~ (c) On real property under his or her control.

31 (3) Nothing in this section or RCW 9.41.113(4) prohibits a person
32 at least eighteen years of age, but less than twenty-one years of
33 age, from possessing a semiautomatic rifle as otherwise authorized by
34 law.

35 NEW SECTION. **Sec. 23.** A new section is added to chapter 36.28A
36 RCW to read as follows:

1 (1) Subject to the availability of amounts appropriated for this
2 specific purpose, the Washington association of sheriffs and police
3 chiefs shall establish a grant program to provide financial
4 assistance to local law enforcement agencies conducting background
5 checks for the purchase and sale of pistols and semiautomatic rifles
6 as required by chapter 9.41 RCW.

7 (2) The Washington association of sheriffs and police chiefs may
8 retain up to one hundred thousand dollars per year, or three percent
9 of the amounts provided pursuant to this section, whichever is
10 greater, for the cost of administration.

11 NEW SECTION. **Sec. 24.** Sections 5, 6, 7, and 8 of this act are
12 necessary for the immediate preservation of the public peace, health,
13 or safety, or support of the state government and its existing public
14 institutions, and take effect immediately.

--- END ---