

---

**SENATE BILL 6347**

---

**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senators Wagoner, Lovelett, Hobbs, Holy, Muzzall, and Randall

Read first time 01/15/20. Referred to Committee on Law & Justice.

1 AN ACT Relating to extending the expiration date for a concealed  
2 pistol license; and reenacting and amending RCW 9.41.070.

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

4 **Sec. 1.** RCW 9.41.070 and 2019 c 249 s 1, 2019 c 135 s 1, and  
5 2019 c 46 s 5004 are each reenacted and amended to read as follows:

6 (1) The chief of police of a municipality or the sheriff of a  
7 county shall, within thirty days after the filing of an application  
8 of any person, issue a license to such person to carry a pistol  
9 concealed on his or her person within this state for five years from  
10 the date of issue, or for seven years from the date of issue if the  
11 requirements in subsection (16) of this section are met, for the  
12 purposes of protection or while engaged in business, sport, or while  
13 traveling. However, if the applicant does not have a valid permanent  
14 Washington driver's license or Washington state identification card  
15 or has not been a resident of the state for the previous consecutive  
16 ninety days, the issuing authority shall have up to sixty days after  
17 the filing of the application to issue a license. The issuing  
18 authority shall not refuse to accept completed applications for  
19 concealed pistol licenses during regular business hours.

20 The applicant's constitutional right to bear arms shall not be  
21 denied, unless:

1 (a) (~~He or she~~) The applicant is ineligible to possess a  
2 firearm under the provisions of RCW 9.41.040 or 9.41.045, or is  
3 prohibited from possessing a firearm under federal law;

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

6 (c) (~~He or she~~) The applicant is under twenty-one years of age;

7 (d) (~~He or she~~) The applicant is subject to a court order or  
8 injunction regarding firearms pursuant to chapter 7.90, 7.92, or 7.94  
9 RCW, or RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050,  
10 26.09.060, 26.10.040, 26.10.115, 26.26B.020, 26.50.060, 26.50.070, or  
11 26.26A.470;

12 (e) (~~He or she~~) The applicant is free on bond or personal  
13 recognizance pending trial, appeal, or sentencing for a felony  
14 offense;

15 (f) (~~He or she~~) The applicant has an outstanding warrant for  
16 his or her arrest from any court of competent jurisdiction for a  
17 felony or misdemeanor; or

18 (g) (~~He or she~~) The applicant has been ordered to forfeit a  
19 firearm under RCW 9.41.098(1)(e) within one year before filing an  
20 application to carry a pistol concealed on his or her person.

21 No person convicted of a felony may have his or her right to  
22 possess firearms restored or his or her privilege to carry a  
23 concealed pistol restored, unless the person has been granted relief  
24 from disabilities by the attorney general under 18 U.S.C. Sec.  
25 925(c), or RCW 9.41.040 (3) or (4) applies.

26 (2)(a) The issuing authority shall conduct a check through the  
27 national instant criminal background check system, the Washington  
28 state patrol electronic database, the health care authority  
29 electronic database, and with other agencies or resources as  
30 appropriate(~~(7)~~) to determine whether the applicant is ineligible  
31 under RCW 9.41.040 or 9.41.045 to possess a firearm, or is prohibited  
32 from possessing a firearm under federal law, and therefore ineligible  
33 for a concealed pistol license.

34 (b) The issuing authority shall deny a permit to anyone who is  
35 found to be prohibited from possessing a firearm under federal or  
36 state law.

37 (c) (a) and (b) of this subsection apply whether the applicant is  
38 applying for a new concealed pistol license or (~~to renew~~) renewing  
39 a concealed pistol license.

1 (d) A background check for an original license must be conducted  
2 through the Washington state patrol criminal identification section  
3 and shall include a national check from the federal bureau of  
4 investigation through the submission of fingerprints. The results  
5 will be returned to the issuing authority. The applicant may request  
6 and receive a copy of the results of the background check from the  
7 issuing authority. If the applicant seeks to amend or correct  
8 (~~their~~) his or her record, the applicant must contact the  
9 Washington state patrol for a Washington state record or the federal  
10 bureau of investigation for records from other jurisdictions.

11 (3) Any person whose firearms rights have been restricted and who  
12 has been granted relief from disabilities by the attorney general  
13 under 18 U.S.C. Sec. 925(c) or who is exempt under 18 U.S.C. Sec.  
14 921(a)(20)(A) shall have his or her right to acquire, receive,  
15 transfer, ship, transport, carry, and possess firearms in accordance  
16 with Washington state law restored except as otherwise prohibited by  
17 this chapter.

18 (4) The license application shall bear the full name, residential  
19 address, telephone number at the option of the applicant, email  
20 address at the option of the applicant, date and place of birth,  
21 race, gender, description, a complete set of fingerprints, (~~and~~)  
22 signature of the licensee, and the licensee's driver's license number  
23 or state identification card number if used for identification in  
24 applying for the license. A signed application for a concealed pistol  
25 license shall constitute a waiver of confidentiality and written  
26 request that the health care authority, mental health institutions,  
27 and other health care facilities release information relevant to the  
28 applicant's eligibility for a concealed pistol license to an  
29 inquiring court or law enforcement agency.

30 The application for an original license shall include a complete  
31 set of fingerprints to be forwarded to the Washington state patrol.

32 The license and application shall contain a warning substantially  
33 as follows:

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

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

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

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

21 The original thereof shall be delivered to the licensee, the  
22 duplicate shall, within seven days, be sent to the director of  
23 licensing, and the triplicate shall be preserved for six years((7))  
24 by the authority issuing the license.

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

28 (5) The nonrefundable fee, paid upon application, for the  
29 original five-year and seven-year license ((shall be)) is thirty-six  
30 dollars plus additional charges imposed by the federal bureau of  
31 investigation that are passed on to the applicant. No other state or  
32 local branch or unit of government may impose any additional charges  
33 on the applicant for the issuance of the license.

34 The fee shall be distributed as follows:

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

36 (b) Four dollars shall be paid to the agency taking the  
37 fingerprints of the person licensed;

38 (c) Fourteen dollars shall be paid to the issuing authority for  
39 the purpose of enforcing this chapter;

1 (d) Two dollars and sixteen cents to the firearms range account  
2 in the general fund; and

3 (e) Eighty-four cents to the concealed pistol license renewal  
4 notification account created in RCW 43.79.540.

5 (6) The nonrefundable fee for the renewal of such license shall  
6 be thirty-two dollars. No other branch or unit of government may  
7 impose any additional charges on the applicant for the renewal of the  
8 license.

9 The renewal fee shall be distributed as follows:

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

11 (b) Fourteen dollars shall be paid to the issuing authority for  
12 the purpose of enforcing this chapter;

13 (c) Two dollars and sixteen cents to the firearms range account  
14 in the general fund; and

15 (d) Eighty-four cents to the concealed pistol license renewal  
16 notification account created in RCW 43.79.540.

17 (7) The nonrefundable fee for replacement of lost or damaged  
18 licenses is ten dollars to be paid to the issuing authority.

19 (8) Payment shall be by cash, check, or money order at the option  
20 of the applicant. Additional methods of payment may be allowed at the  
21 option of the issuing authority.

22 (9) (a) A licensee may renew a license if the licensee applies for  
23 renewal within ninety days before or after the expiration date of the  
24 license. A license so renewed shall take effect on the expiration  
25 date of the prior license. A licensee renewing after the expiration  
26 date of the license must pay a late renewal penalty of ten dollars in  
27 addition to the renewal fee specified in subsection (6) of this  
28 section. The fee shall be distributed as follows:

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

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

38 (b) Beginning with concealed pistol licenses that expire on or  
39 after August 1, 2018, the department of licensing shall mail a  
40 renewal notice approximately ninety days before the license

1 expiration date to the licensee at the address listed on the  
2 concealed pistol license application, or to the licensee's new  
3 address if the licensee has notified the department of licensing of a  
4 change of address. Alternatively, if the licensee provides an email  
5 address at the time of license application, the department of  
6 licensing may send the renewal notice to the licensee's email  
7 address. The notice must contain the date the concealed pistol  
8 license will expire, the amount of renewal fee, the penalty for late  
9 renewal, and instructions on how to renew the license.

10 (10) Notwithstanding the requirements of subsections (1) through  
11 (9) of this section, the chief of police of the municipality or the  
12 sheriff of the county of the applicant's residence may issue a  
13 temporary emergency license for good cause pending review under  
14 subsection (1) of this section. However, a temporary emergency  
15 license issued under this subsection shall not exempt the holder of  
16 the license from any records check requirement. Temporary emergency  
17 licenses shall be easily distinguishable from regular licenses.

18 (11) A political subdivision of the state shall not modify the  
19 requirements of this section or chapter, nor may a political  
20 subdivision ask the applicant to voluntarily submit any information  
21 not required by this section.

22 (12) A person who knowingly makes a false statement regarding  
23 citizenship or identity on an application for a concealed pistol  
24 license is guilty of false swearing under RCW 9A.72.040. In addition  
25 to any other penalty provided for by law, the concealed pistol  
26 license of a person who knowingly makes a false statement shall be  
27 revoked, and the person shall be permanently ineligible for a  
28 concealed pistol license.

29 (13) A person may apply for a concealed pistol license:

30 (a) To the municipality or to the county in which the applicant  
31 resides if the applicant resides in a municipality;

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

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

35 (14) Any person who, as a member of the armed forces, including  
36 the national guard and armed forces reserves, is unable to renew his  
37 or her license under subsections (6) and (9) of this section because  
38 of the person's assignment, reassignment, or deployment for out-of-  
39 state military service may renew his or her license within ninety  
40 days after the person returns to this state from out-of-state

1 military service, if the person provides the following to the issuing  
2 authority no later than ninety days after the person's date of  
3 discharge or assignment, reassignment, or deployment back to this  
4 state: (a) A copy of the person's original order designating the  
5 specific period of assignment, reassignment, or deployment for out-  
6 of-state military service, and (b) if appropriate, a copy of the  
7 person's discharge or amended or subsequent assignment, reassignment,  
8 or deployment order back to this state. A license so renewed under  
9 this subsection (~~((14))~~) shall take effect on the expiration date of  
10 the prior license. A licensee renewing after the expiration date of  
11 the license under this subsection (~~((14))~~) shall pay only the renewal  
12 fee specified in subsection (6) of this section and shall not be  
13 required to pay a late renewal penalty in addition to the renewal  
14 fee.

15 (15)(a) By October 1, 2019, law enforcement agencies that issue  
16 concealed pistol licenses shall develop and implement a procedure for  
17 the renewal of concealed pistol licenses through a mail application  
18 process, and may develop an online renewal application process(~~((7))~~)  
19 for any person who, as a member of the armed forces, including the  
20 national guard and armed forces reserves, is unable to renew his or  
21 her license under subsections (6) and (9) of this section because of  
22 the person's assignment, reassignment, or deployment for out-of-state  
23 military service.

24 (b) A person applying for a license renewal under this subsection  
25 shall:

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

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

31 (iii) Pay the renewal licensing fee under subsection (6) of this  
32 section, and, if applicable, the late renewal penalty under  
33 subsection (9) of this section.

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

37 (16)(a) A license issued under this section is valid for seven  
38 years if the applicant provides proof that the applicant has  
39 completed a recognized firearm safety training program within the  
40 last five years that, at a minimum, includes instruction on:

1       (i) Basic firearms safety rules;  
2       (ii) Firearms and children, including secure gun storage and  
3 talking to children about gun safety;  
4       (iii) Firearms and suicide prevention;  
5       (iv) Secure gun storage to prevent unauthorized access and use;  
6       (v) Safe handling of firearms; and  
7       (vi) State and federal firearms laws, including prohibited  
8 firearms transfers.  
9       (b) The training must be sponsored by a federal, state, county,  
10 or municipal law enforcement agency, a college or university, a  
11 nationally recognized organization that customarily offers firearms  
12 training, or a firearms training school with instructors certified by  
13 a nationally recognized organization that customarily offers firearms  
14 training. The proof of training shall be in the form of a  
15 certification that states under the penalty of perjury the training  
16 included the minimum requirements.

--- END ---