

2 **E2SHB 2319** - S AMD TO S AMD (S-5375.4/94)
3 By Senator Ludwig

4 ADOPTED 3/4/94

5 On page 38, beginning on line 18 of the amendment, after "state
6 law." strike all material through "9.41.170." on line 33, and insert
7 "The (~~application shall contain questions about the applicant's place~~
8 ~~of birth, whether the applicant is a United States citizen, and if not~~
9 ~~a citizen whether the applicant has declared the intent to become a~~
10 ~~citizen)) applicant shall also provide the following information:~~
11 Citizenship and whether he or she has been required to register with
12 the state or federal government and (~~any~~) has an identification or
13 registration number(~~, if applicable~~). The applicant shall not be
14 required to produce a birth certificate or other evidence of
15 citizenship. (~~An applicant who is not a citizen shall provide~~
16 ~~documentation showing resident alien status and the applicant's intent~~
17 ~~to become a citizen. A person who makes a false statement regarding~~
18 ~~citizenship on the application is guilty of a misdemeanor.)) A person
19 who is not a citizen of the United States(~~, or has not declared his or~~
20 ~~her intention to become a citizen~~) shall meet the additional
21 requirements of RCW 9.41.170."~~

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25 On page 49, beginning on line 30 of the amendment, strike all of
26 section 422 and insert the following:

27 "**Sec. 422.** RCW 9.41.170 and 1979 c 158 s 3 are each amended to
28 read as follows:

29 (~~It shall be unlawful for any person who is not a citizen of the~~
30 ~~United States, or who has not declared his intention to become a~~
31 ~~citizen of the United States, to carry or have in his possession at any~~
32 ~~time any shotgun, rifle, or other firearm, without first having~~
33 ~~obtained a license from the director of licensing, and such license is~~
34 ~~not to be issued by the director of licensing except upon the~~

1 ~~certificate of the consul domiciled in the state and representing the~~
2 ~~country of such alien, that he is a responsible person and upon the~~
3 ~~payment for the license of the sum of fifteen dollars: PROVIDED,~~
4 ~~That))~~ (1) It is a class C felony for any person who is not a citizen
5 of the United States to carry or possess any firearm, without first
6 having obtained an alien firearm license from the director of
7 licensing. Except as provided in subsection (2) of this section, the
8 director of licensing may issue an alien firearm license only upon
9 receiving from the consul domiciled in this state representing the
10 country of the alien, a certified copy of the alien's criminal history
11 in the alien's country indicating the alien is not ineligible under RCW
12 9.41.040 to own, possess, or control a firearm, and the consul's
13 attestation that the alien is a responsible person.

14 (2)(a) Subject to the additional requirements of (b) of this
15 subsection, the director of licensing may issue an alien firearm
16 license without a certified copy of the alien's criminal history or the
17 consul's attestation required by subsection (1) of this section, if the
18 alien has been a resident of this state for at least two years and:
19 (i) The alien is from a country without a consul domiciled within this
20 state, or (ii) the consul has failed to provide, within ninety days
21 after a request by the alien, the criminal history or attestation
22 required by subsection (1) of this section.

23 (b) Before issuing an alien firearm license under this subsection
24 (2), the director of licensing shall ask the local law enforcement
25 agency of the jurisdiction in which the alien resides to complete a
26 background check to determine the alien's eligibility under RCW
27 9.41.040 to own, possess, or control a firearm. The law enforcement
28 agency shall complete a background check within thirty days after the
29 request, unless the alien does not have a valid Washington driver's
30 license or Washington state identification card. In the latter case,
31 the law enforcement agency shall complete the background check within
32 sixty days after the request.

33 A signed application for an alien firearm license shall constitute
34 a waiver of confidentiality and written request that the department of
35 social and health services, mental health institutions, and other
36 health care facilities release information relevant to the applicant's
37 eligibility for an alien firearm license to an inquiring law
38 enforcement agency.

1 (3) The fee for an alien firearm license shall be twenty-five
2 dollars, and the license shall be valid for four years from the date of
3 issue.

4 (4) This section shall not apply to Canadian citizens resident in
5 a province which has an enactment or public policy providing
6 substantially similar privilege to residents of the state of Washington
7 and who are carrying or possessing weapons for the purpose of using
8 them in the hunting of game while such persons are in the act of
9 hunting, or while on a hunting trip, or while such persons are
10 competing in a bona fide trap or skeet shoot or any other organized
11 contest where rifles, pistols, or shotguns are used ((as to weapons
12 used in such contest)). Nothing in this section ((shall be construed
13 to)) allows aliens to hunt or fish in this state without first having
14 obtained a regular hunting or fishing license. ((Any person violating
15 the provisions of this section shall be guilty of a misdemeanor.))"

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