

2SHB 1052 - S COMM AMD
By Committee on Judiciary

ADOPTED 04/07/2009

1 Strike everything after the enacting clause and insert the
2 following:

3 "**Sec. 1.** RCW 9.41.010 and 2001 c 300 s 2 are each amended to read
4 as follows:

5 Unless the context clearly requires otherwise, the definitions in
6 this section apply throughout this chapter.

7 (1) "Firearm" means a weapon or device from which a projectile or
8 projectiles may be fired by an explosive such as gunpowder.

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

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

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

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

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

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

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

16 (9) "Loaded" means:

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

18 (b) Cartridges are in a clip that is locked in place in the
19 firearm;

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

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

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

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

34 (11) "Crime of violence" means:

35 (a) Any of the following felonies, as now existing or hereafter
36 amended: Any felony defined under any law as a class A felony or an
37 attempt to commit a class A felony, criminal solicitation of or
38 criminal conspiracy to commit a class A felony, manslaughter in the

1 first degree, manslaughter in the second degree, indecent liberties if
2 committed by forcible compulsion, kidnapping in the second degree,
3 arson in the second degree, assault in the second degree, assault of a
4 child in the second degree, extortion in the first degree, burglary in
5 the second degree, residential burglary, and robbery in the second
6 degree;

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

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

13 (12) "Serious offense" means any of the following felonies or a
14 felony attempt to commit any of the following felonies, as now existing
15 or hereafter amended:

16 (a) Any crime of violence;

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

20 (c) Child molestation in the second degree;

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

22 (e) Indecent liberties;

23 (f) Leading organized crime;

24 (g) Promoting prostitution in the first degree;

25 (h) Rape in the third degree;

26 (i) Drive-by shooting;

27 (j) Sexual exploitation;

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

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

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

1 (n) Any other felony with a deadly weapon verdict under RCW
2 9.94A.602; or

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

7 (13) "Law enforcement officer" includes a general authority
8 Washington peace officer as defined in RCW 10.93.020, or a specially
9 commissioned Washington peace officer as defined in RCW 10.93.020.
10 "Law enforcement officer" also includes a limited authority Washington
11 peace officer as defined in RCW 10.93.020 if such officer is duly
12 authorized by his or her employer to carry a concealed pistol.

13 (14) "Felony" means any felony offense under the laws of this state
14 or any federal or out-of-state offense comparable to a felony offense
15 under the laws of this state.

16 (15) "Sell" refers to the actual approval of the delivery of a
17 firearm in consideration of payment or promise of payment of a certain
18 price in money.

19 (16) "Barrel length" means the distance from the bolt face of a
20 closed action down the length of the axis of the bore to the crown of
21 the muzzle, or in the case of a barrel with attachments to the end of
22 any legal device permanently attached to the end of the muzzle.

23 (17) "Family or household member" means "family" or "household
24 member" as used in RCW 10.99.020.

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

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

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

32 It is a class C felony for any person who is not a citizen of the
33 United States to carry or possess any firearm, unless the person: (1)
34 Is a lawful permanent resident; (2) has obtained a valid alien firearm
35 license pursuant to section 3 of this act; or (3) meets the
36 requirements of section 4 of this act.

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

3 (1) In order to obtain an alien firearm license, a nonimmigrant
4 alien residing in Washington must apply to the sheriff of the county in
5 which he or she resides.

6 (2) The sheriff of the county shall within sixty days after the
7 filing of an application of a nonimmigrant alien residing in the state
8 of Washington, issue an alien firearm license to such person to carry
9 or possess a firearm for the purposes of hunting and sport shooting.
10 The license shall be good for two years. The issuing authority shall
11 not refuse to accept completed applications for alien firearm licenses
12 during regular business hours. An application for a license may not be
13 denied, unless the applicant's alien firearm license is in a revoked
14 status, or the applicant:

15 (a) Is ineligible to possess a firearm under the provisions of RCW
16 9.41.040 or 9.41.045;

17 (b) Is subject to a court order or injunction regarding firearms
18 pursuant to RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050,
19 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.50.060, 26.50.070, or
20 26.26.590;

21 (c) Is free on bond or personal recognizance pending trial, appeal,
22 or sentencing for a felony offense; or

23 (d) Has an outstanding warrant for his or her arrest from any court
24 of competent jurisdiction for a felony or misdemeanor.

25 No license application shall be granted to a nonimmigrant alien
26 convicted of a felony unless the person has been granted relief from
27 disabilities by the attorney general under 18 U.S.C. Sec. 925(c), or
28 unless RCW 9.41.040 (3) or (4) applies.

29 (3) The sheriff shall check with the national crime information
30 center, the Washington state patrol electronic database, the department
31 of social and health services electronic database, and with other
32 agencies or resources as appropriate, to determine whether the
33 applicant is ineligible under RCW 9.41.040 or 9.41.045 to possess a
34 firearm.

35 (4) The license application shall bear the full name, residential
36 address, telephone number at the option of the applicant, date and
37 place of birth, race, gender, description, not more than two complete
38 sets of fingerprints, and signature of the applicant, a copy of the

1 applicant's passport and visa showing the applicant is in the country
2 legally, and a valid Washington hunting license or documentation that
3 the applicant is a member of a sport shooting club.

4 A signed application for an alien firearm license shall constitute
5 a waiver of confidentiality and written request that the department of
6 social and health services, mental health institutions, and other
7 health care facilities release information relevant to the applicant's
8 eligibility for an alien firearm license to an inquiring court or law
9 enforcement agency.

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

12 The license and application shall contain a warning substantially
13 as follows:

14 CAUTION: Although state and local laws do not differ, federal
15 law and state law on the possession of firearms differ. If you
16 are prohibited by federal law from possessing a firearm, you
17 may be prosecuted in federal court. A state license is not a
18 defense to a federal prosecution.

19 The license shall contain a description of the major differences
20 between state and federal law and an explanation of the fact that local
21 laws and ordinances on firearms are preempted by state law and must be
22 consistent with state law. The application shall contain questions
23 about the applicant's eligibility under RCW 9.41.040 to possess a
24 firearm. The nonimmigrant alien applicant shall be required to produce
25 a passport and visa as evidence of being in the country legally.

26 The license may be in triplicate or in a form to be prescribed by
27 the department of licensing. The original thereof shall be delivered
28 to the licensee, the duplicate shall within seven days be sent to the
29 director of licensing and the triplicate shall be preserved for six
30 years, by the authority issuing the license.

31 The department of licensing shall make available to law enforcement
32 and corrections agencies, in an online format, all information received
33 under this section.

34 (5) The sheriff has the authority to collect a nonrefundable fee,
35 paid upon application, for the two-year license. The fee shall be
36 fifty dollars plus additional charges imposed by the Washington state
37 patrol and the federal bureau of investigation that are passed on to

1 the applicant. No other state or local branch or unit of government
2 may impose any additional charges on the applicant for the issuance of
3 the license. The fee shall be retained by the sheriff.

4 (6) Payment shall be by cash, check, or money order at the option
5 of the applicant. Additional methods of payment may be allowed at the
6 option of the sheriff.

7 (7) A political subdivision of the state shall not modify the
8 requirements of this section, nor may a political subdivision ask the
9 applicant to voluntarily submit any information not required by this
10 section.

11 (8) A person who knowingly makes a false statement regarding
12 citizenship or identity on an application for an alien firearm license
13 is guilty of false swearing under RCW 9A.72.040. In addition to any
14 other penalty provided for by law, the alien firearm license of a
15 person who knowingly makes a false statement shall be revoked, and the
16 person shall be permanently ineligible for an alien firearm license.

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

19 (1) A nonimmigrant alien, who is not a resident of Washington or a
20 citizen of Canada, may carry or possess any firearm without having
21 first obtained an alien firearm license if the nonimmigrant alien
22 possesses:

23 (a) A valid passport and visa showing he or she is in the country
24 legally;

25 (b) If required under federal law, an approved United States
26 department of justice ATF-6 NIA application and permit for temporary
27 importation of firearms and ammunition by nonimmigrant aliens; and

28 (c)(i) A valid hunting license issued by a state or territory of
29 the United States; or

30 (ii) An invitation to participate in a trade show or sport shooting
31 event being conducted in this state, another state, or another country
32 that is contiguous with this state.

33 (2) A citizen of Canada may carry or possess any firearm so long as
34 he or she possesses:

35 (a) Valid documentation as required for entry into the United
36 States;

1 (b) If required under federal law, an approved United States
2 department of justice ATF-6 NIA application and permit for temporary
3 importation of firearms and ammunition by nonimmigrant aliens; and

4 (c)(i) A valid hunting license issued by a state or territory of
5 the United States; or

6 (ii) An invitation to participate in a trade show or sport shooting
7 event being conducted in this state, another state, or another country
8 that is contiguous with this state.

9 (3) For purposes of subsections (1) and (2) of this section, the
10 firearms may only be possessed for the purpose of using them in the
11 hunting of game while such persons are in the act of hunting, or while
12 on a hunting trip, or while such persons are competing in a bona fide
13 trap or skeet shoot or any other organized contest where rifles,
14 pistols, or shotguns are used. Nothing in this section shall be
15 construed to allow aliens to hunt or fish in this state without first
16 having obtained a regular hunting or fishing license.

17 **Sec. 5.** RCW 9.41.070 and 2002 c 302 s 703 are each amended to read
18 as follows:

19 (1) The chief of police of a municipality or the sheriff of a
20 county shall within thirty days after the filing of an application of
21 any person, issue a license to such person to carry a pistol concealed
22 on his or her person within this state for five years from date of
23 issue, for the purposes of protection or while engaged in business,
24 sport, or while traveling. However, if the applicant does not have a
25 valid permanent Washington driver's license or Washington state
26 identification card or has not been a resident of the state for the
27 previous consecutive ninety days, the issuing authority shall have up
28 to sixty days after the filing of the application to issue a license.
29 The issuing authority shall not refuse to accept completed applications
30 for concealed pistol licenses during regular business hours.

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

33 (a) He or she is ineligible to possess a firearm under the
34 provisions of RCW 9.41.040 or 9.41.045;

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

37 (c) He or she is under twenty-one years of age;

1 (d) He or she is subject to a court order or injunction regarding
2 firearms pursuant to RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045,
3 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.50.060,
4 26.50.070, or 26.26.590;

5 (e) He or she is free on bond or personal recognizance pending
6 trial, appeal, or sentencing for a felony offense;

7 (f) He or she has an outstanding warrant for his or her arrest from
8 any court of competent jurisdiction for a felony or misdemeanor; or

9 (g) He or she has been ordered to forfeit a firearm under RCW
10 9.41.098(1)(e) within one year before filing an application to carry a
11 pistol concealed on his or her person.

12 No person convicted of a felony may have his or her right to
13 possess firearms restored or his or her privilege to carry a concealed
14 pistol restored, unless the person has been granted relief from
15 disabilities by the (~~secretary of the treasury~~) attorney general
16 under 18 U.S.C. Sec. 925(c), or RCW 9.41.040 (3) or (4) applies.

17 (2) The issuing authority shall check with the national crime
18 information center, the Washington state patrol electronic database,
19 the department of social and health services electronic database, and
20 with other agencies or resources as appropriate, to determine whether
21 the applicant is ineligible under RCW 9.41.040 or 9.41.045 to possess
22 a firearm and therefore ineligible for a concealed pistol license.
23 This subsection applies whether the applicant is applying for a new
24 concealed pistol license or to renew a concealed pistol license.

25 (3) Any person whose firearms rights have been restricted and who
26 has been granted relief from disabilities by the (~~secretary of the~~
27 ~~treasury~~) attorney general under 18 U.S.C. Sec. 925(c) or who is
28 exempt under 18 U.S.C. Sec. 921(a)(20)(A) shall have his or her right
29 to acquire, receive, transfer, ship, transport, carry, and possess
30 firearms in accordance with Washington state law restored except as
31 otherwise prohibited by this chapter.

32 (4) The license application shall bear the full name, residential
33 address, telephone number at the option of the applicant, date and
34 place of birth, race, gender, description, (~~not more than two~~) a
35 complete set(~~s~~) of fingerprints, and signature of the licensee, and
36 the licensee's driver's license number or state identification card
37 number if used for identification in applying for the license. A
38 signed application for a concealed pistol license shall constitute a

1 waiver of confidentiality and written request that the department of
2 social and health services, mental health institutions, and other
3 health care facilities release information relevant to the applicant's
4 eligibility for a concealed pistol license to an inquiring court or law
5 enforcement agency.

6 The application for an original license shall include two complete
7 sets of fingerprints to be forwarded to the Washington state patrol.

8 The license and application shall contain a warning substantially
9 as follows:

10 CAUTION: Although state and local laws do not differ, federal
11 law and state law on the possession of firearms differ. If you
12 are prohibited by federal law from possessing a firearm, you
13 may be prosecuted in federal court. A state license is not a
14 defense to a federal prosecution.

15 The license shall contain a description of the major differences
16 between state and federal law and an explanation of the fact that local
17 laws and ordinances on firearms are preempted by state law and must be
18 consistent with state law. The application shall contain questions
19 about the applicant's eligibility under RCW 9.41.040 to possess a
20 pistol, the applicant's place of birth, and whether the applicant is a
21 United States citizen. The applicant shall not be required to produce
22 a birth certificate or other evidence of citizenship. A person who is
23 not a citizen of the United States shall, if applicable, meet the
24 additional requirements of ~~((RCW 9.41.170))~~ section 3 of this act and
25 produce proof of compliance with ~~((RCW 9.41.170))~~ section 3 of this act
26 upon application. The license ~~((shall))~~ may be in triplicate ~~((and))~~
27 or in a form to be prescribed by the department of licensing.

28 The original thereof shall be delivered to the licensee, the
29 duplicate shall within seven days be sent to the director of licensing
30 and the triplicate shall be preserved for six years, by the authority
31 issuing the license.

32 The department of licensing shall make available to law enforcement
33 and corrections agencies, in an on-line format, all information
34 received under this subsection.

35 (5) The nonrefundable fee, paid upon application, for the original
36 five-year license shall be thirty-six dollars plus additional charges
37 imposed by the Federal Bureau of Investigation that are passed on to

1 the applicant. No other state or local branch or unit of government
2 may impose any additional charges on the applicant for the issuance of
3 the license.

4 The fee shall be distributed as follows:

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

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

8 (c) Fourteen dollars shall be paid to the issuing authority for the
9 purpose of enforcing this chapter; and

10 (d) Three dollars to the firearms range account in the general
11 fund.

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

15 The renewal fee shall be distributed as follows:

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

17 (b) Fourteen dollars shall be paid to the issuing authority for the
18 purpose of enforcing this chapter; and

19 (c) Three dollars to the firearms range account in the general
20 fund.

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

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

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

33 (a) Three dollars shall be deposited in the state wildlife (~~fund~~)
34 account and used exclusively first for the printing and distribution of
35 a pamphlet on the legal limits of the use of firearms, firearms safety,
36 and the preemptive nature of state law, and subsequently the support of
37 volunteer instructors in the basic firearms safety training program

1 conducted by the department of fish and wildlife. The pamphlet shall
2 be given to each applicant for a license; and

3 (b) Seven dollars shall be paid to the issuing authority for the
4 purpose of enforcing this chapter.

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

13 (11) A political subdivision of the state shall not modify the
14 requirements of this section or chapter, nor may a political
15 subdivision ask the applicant to voluntarily submit any information not
16 required by this section.

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

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

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

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

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

30 **Sec. 6.** RCW 9.41.097 and 2005 c 274 s 202 are each amended to read
31 as follows:

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

1 (2) Mental health information received by: (a) The department of
2 licensing pursuant to RCW 9.41.047 or ((9.41.170)) section 3 of this
3 act; (b) an issuing authority pursuant to RCW 9.41.047 or 9.41.070; (c)
4 a chief of police or sheriff pursuant to RCW 9.41.090 or ((9.41.170))
5 section 3 of this act; (d) a court or law enforcement agency pursuant
6 to subsection (1) of this section, shall not be disclosed except as
7 provided in RCW 42.56.240(4).

8 **Sec. 7.** RCW 9.41.0975 and 1996 c 295 s 9 are each amended to read
9 as follows:

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

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

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

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

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

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

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

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

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

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

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

35 (b) Directing a law enforcement agency to approve an application to
36 purchase wrongfully denied;

1 (c) Directing that erroneous information resulting either in the
2 wrongful refusal to issue a concealed pistol license or alien firearm
3 license or in the wrongful denial of a purchase application be
4 corrected; or

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

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

14 NEW SECTION. **Sec. 8.** RCW 9.41.170 (Alien's license to carry
15 firearms--Exception) and 1996 c 295 s 11, 1994 c 190 s 1, 1979 c 158 s
16 3, 1969 ex.s. c 90 s 1, & 1953 c 109 s 1 are each repealed."

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17 On page 1, line 2 of the title, after "countries;" strike the
18 remainder of the title and insert "amending RCW 9.41.010, 9.41.070,
19 9.41.097, and 9.41.0975; adding new sections to chapter 9.41 RCW;
20 repealing RCW 9.41.170; and prescribing penalties."

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