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**SUBSTITUTE HOUSE BILL 2226**

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**State of Washington**                      **61st Legislature**                      **2010 Regular Session**

**By** House Judiciary (originally sponsored by Representatives Orcutt, Blake, Maxwell, Williams, and Hope)

READ FIRST TIME 01/18/10.

1            AN ACT Relating to issuing firearms certificates to retired law  
2 enforcement officers; and amending RCW 36.28A.090.

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

4            **Sec. 1.** RCW 36.28A.090 and 2006 c 40 s 1 are each amended to read  
5 as follows:

6            (1) The purpose of this section is to establish a process for  
7 issuing firearms certificates to residents of Washington who are  
8 otherwise qualified retired law enforcement officers under the federal  
9 law enforcement officers safety act of 2004 (118 Stat. 865; 18 U.S.C.  
10 Sec. 926B and 926C) for the purpose of satisfying the certification  
11 requirements contained in (~~the federal law enforcement officers safety~~  
12 ~~act of 2004 (118 Stat. 865; 18 U.S.C. Sec. 926B and 926C)) that act.~~

13            (2) A retired law enforcement officer satisfies the federal  
14 certification requirements if he or she possesses a valid firearms  
15 qualification certificate that:

16            (a) Uses the model certificate created under subsection (4) of this  
17 section;

18            (b) Provides that either a law enforcement agency or an individual  
19 or entity certified to provide firearms training acknowledges that the

1 bearer has been found qualified or otherwise found to meet the  
2 standards established by the criminal justice training commission for  
3 firearms qualification for the basic law enforcement training academy  
4 in the state; and

5 (c) Complies with the time restrictions provided under subsection  
6 (3) of this section.

7 (3) The firearms certificate is valid for a period of one year from  
8 the date that the law enforcement agency or individual or entity  
9 certified to provide firearms training determines that the bearer has  
10 been found qualified or otherwise found to meet the standards  
11 established by the criminal justice training commission for firearms  
12 qualification for the basic law enforcement training academy in the  
13 state, and the certificate shall state the date the determination was  
14 made.

15 (4) The Washington association of sheriffs and police chiefs shall  
16 develop a model certificate that shall serve as the required firearms  
17 qualification certificate ((form to be used by local law enforcement  
18 agencies when issuing firearms certificates to retired law enforcement  
19 officers under this section)) once the certificate is valid pursuant to  
20 subsection (2) of this section. The association shall make the model  
21 certificate accessible on its web site. The model certificate shall  
22 state that the retired law enforcement officer bearing the certificate  
23 has been qualified or otherwise found to meet the standards established  
24 by the criminal justice training commission for firearms qualification  
25 for the basic law enforcement training academy in the state.

26 ~~((3) A retired law enforcement officer who is a resident of~~  
27 ~~Washington may apply for a firearms certificate with a local law~~  
28 ~~enforcement agency. The local law enforcement agency may issue the~~  
29 ~~firearms certificate to a retired law enforcement officer if the~~  
30 ~~officer:~~

31 ~~(a) Has been qualified or otherwise found to meet the standards~~  
32 ~~established by the criminal justice training commission for firearms~~  
33 ~~qualifications for active law enforcement officers in the state; and~~

34 ~~(b) Has undergone the same background check as required under RCW~~  
35 ~~9.41.070 and is not ineligible to possess a firearm under RCW 9.41.040~~  
36 ~~or 9.41.045.~~

37 ~~(4) The qualification required under [subsection] (3)(a) of this~~

1 section may be performed by the local law enforcement agency or by an  
2 individual or entity certified to provide firearms training.

3 ~~(5) The firearms certificate is valid for a period of one year. An~~  
4 ~~applicant for the firearms certificate shall pay a fee of thirty six~~  
5 ~~dollars, plus additional charges imposed by the federal bureau of~~  
6 ~~investigation that are passed on to the applicant. The fee shall be~~  
7 ~~distributed in the same manner as the fee for a concealed pistol~~  
8 ~~license under RCW 9.41.070.)~~

9 (5) The retired law enforcement officer is ~~((also))~~ responsible for  
10 paying the costs of the firearms qualification required under  
11 ~~(([subsection] (3)(a)))~~ subsection (2) of this section.

12 (6) Nothing in this section shall be deemed to require a local law  
13 enforcement agency to complete the certificate.

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