

# SENATE BILL REPORT

## SB 5634

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As of February 14, 2011

**Title:** An act relating to clarifying the entities to be consulted when determining eligibility to possess a firearm.

**Brief Description:** Concerning firearm background check databases.

**Sponsors:** Senators Hargrove and Stevens; by request of Department of Social and Health Services.

**Brief History:**

**Committee Activity:** Human Services & Corrections: 2/17/11.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Staff:** Kevin Black (786-7747)

**Background:** A person who is found not guilty by reason of insanity of an offense making the person ineligible to possess a firearm, or a person who is committed for involuntary mental health treatment for a period of 14 days or longer, is prohibited from possessing a firearm under state law unless the right to possess a firearm has been restored by a court. Since 2009 the courts have been required to transmit mental health commitment information directly to the National Instant Criminal Background Check System, which is maintained by the federal government. When a person applies for a concealed pistol license, alien firearm license, or purchases a pistol from a dealer, state law requires a check of the National Instant Criminal Background Check System, and databases maintained by the Washington State Patrol (WSP) and Department of Social and Health Services (DSHS). State law permissively authorizes checks with other appropriate agencies or resources.

**Summary of Bill:** WSP and DSHS need not be consulted when a person applies for a concealed pistol license, alien firearm license, or purchases a pistol from a dealer.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Effective Date:** Ninety days after adjournment of session in which bill is passed.