

# FINAL BILL REPORT

## SHB 1612

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Synopsis as Enacted

**Brief Description:** Concerning information on firearm offenders.

**Sponsors:** House Committee on Judiciary (originally sponsored by Representatives Hope, Pedersen, Hayes, Buys, Dahlquist, Hargrove, O'Ban, Holy, Goodman, Fagan, Smith, Magendanz, Orcutt, Klippert, Kretz, Warnick, Roberts, Moscoso, Ryu and Bergquist).

**House Committee on Judiciary**  
**Senate Committee on Law & Justice**  
**Senate Committee on Ways & Means**

**Background:**

The Washington State Patrol (WSP) is the state's central repository for criminal history data, and maintains a database of criminal history record information (CHRI), including fingerprint-based records and disposition information submitted by law enforcement agencies and courts throughout the state. Criminal justice agencies may request and receive unrestricted CHRI from the WSP for criminal justice purposes. The public may also request and receive CHRI for non-criminal justice purposes, limited to conviction information, other CHRI less than one year old, and information regarding registered sex or kidnapping offenders.

**Summary:**

The WSP is required to maintain a felony firearm offense conviction database of felony firearm offenders. Felony firearm offenders are persons who have been convicted or found not guilty by reason of insanity in this state of various felony firearm offenses. The database is only for law enforcement purposes and is not subject to public disclosure.

Upon conviction or finding of not guilty by reason of insanity of a felony firearm offense, the court must consider whether to impose a requirement that the person register as a felony firearm offender. In exercising its discretion, the court must consider relevant factors including the person's criminal history, whether the person has been previously found not guilty by reason of insanity of any offense in any state, and any evidence of the person's propensity for violence that would likely endanger others.

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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.*

A person required to register must do so in person with the county sheriff no later than 48 hours after release from custody or the date the court imposes the felony firearm offender's sentence, if the offender receives a sentence that does not include confinement. The offender must register yearly, no later than 20 days after each anniversary of the first registration. The duty to register continues for four years. Upon expiration of the person's duty to register, the WSP must automatically remove the person's name and information from the registry.

A variety of information must be provided in the registration process, including: name and aliases; residential address; identifying information including a physical description; the offense for which the person was convicted; date and place of conviction; and the names of any other county where the offender has registered as a felony firearm offender. The county sheriff may require verifying documentation of the required information and may take the person's photograph or fingerprints for inclusion in the registry.

If the registrant changes his or her residential address within the state, he or she must provide updated address information within 48 hours of moving. If the person lacks a fixed address, they must disclose where they plan to stay.

A person who has a duty to register and knowingly fails to comply with any of the registration requirements is guilty of a gross misdemeanor.

**Votes on Final Passage:**

House	85	10	
Senate	41	7	(Senate amended)
House	89	8	(House concurred)

**Effective:** July 28, 2013