CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2410**

64th Legislature

2016 Regular Session

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| Passed by the House February 15, 2016  Yeas 94 Nays 3  **Speaker of the House of Representatives**  Passed by the Senate March 1, 2016  Yeas 46 Nays 1  **President of the Senate** | CERTIFICATE  I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2410** as passed by House of Representatives and the Senate on the dates hereon set forth.  **Chief Clerk** |
| Approved |  |
| **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**SUBSTITUTE HOUSE BILL 2410**

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Passed Legislature - 2016 Regular Session

**State of Washington 64th Legislature 2016 Regular Session**

**By** House Judiciary (originally sponsored by Representatives Hayes, Orwall, Klippert, Goodman, Griffey, Fitzgibbon, Magendanz, Muri, and Ormsby)

AN ACT Relating to requiring information about certain criminal defendants be included in the felony firearm offense conviction database; and amending RCW 9.41.330.

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

**Sec.**  RCW 9.41.330 and 2013 c 183 s 3 are each amended to read as follows:

(1) On or after ((~~July 28, 2013~~)) the effective date of this section, except as provided in subsection (3) of this section, whenever a defendant in this state is convicted of a felony firearm offense or found not guilty by reason of insanity of any felony firearm offense, the court must consider whether to impose a requirement that the person comply with the registration requirements of RCW 9.41.333 and may, in its discretion, impose such a requirement.

(2) In determining whether to require the person to register, the court shall consider all relevant factors including, but not limited to:

(a) The person's criminal history;

(b) Whether the person has previously been found not guilty by reason of insanity of any offense in this state or elsewhere; and

(c) Evidence of the person's propensity for violence that would likely endanger persons.

(3) When a person is convicted of a felony firearm offense or found not guilty by reason of insanity of any felony firearm offense that was committed in conjunction with any of the following offenses, the court must impose a requirement that the person comply with the registration requirements of RCW 9.41.333:

(a) An offense involving sexual motivation;

(b) An offense committed against a child under the age of eighteen; or

(c) A serious violent offense.

(4) For purposes of this section, "sexual motivation" and "serious violent offense" are defined as in RCW 9.94A.030.

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