
Civil Rights & Judiciary Committee

HB 1024

Brief Description: Prohibiting a government database of law abiding owners of legal firearms.

Sponsors: Representatives Walsh, Blake, Van Werven, Dent, Kraft, McCaslin, Shea, Irwin, Orcutt, Vick, Barkis and Young.

Brief Summary of Bill

- Prohibits the Department of Licensing (DOL) from keeping records relating to pistol transfer applications and pistol transfers and requires the DOL to eliminate these records from its databases.

Hearing Date: 1/22/19

Staff: Edie Adams (786-7180).

Background:

A person purchasing a pistol must fill out and sign a transfer application that includes specified information about the person and the pistol. The dealer must transfer the application to the local law enforcement agency, which conducts a background check to determine the purchaser's eligibility to possess a firearm. The local law enforcement agency is required to destroy applications to purchase a pistol in accordance with federal law requirements. Federal law generally requires licensed dealers and law enforcement agencies that serve as points of contact for conducting required federal background checks to destroy all National Instant Criminal Background Check System (NICS) entry and response records that allow a transfer and all other records relating to the person or transfer created as a result of a NICS check that are not part of a record system created and maintained under state law.

State law requires a dealer to make a record of every pistol transfer. The transfer record must include information on the purchaser, the date of the sale, the type of pistol purchased, and the signature of both the purchaser and the person selling the pistol. The dealer must retain one copy

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of the pistol transfer record for six years, and send one copy of the record to the Department of Licensing (DOL), which enters the record into the DOL firearm database.

Initiative 1639, approved by the voters in November 2019, establishes similar requirements for sales or transfers of semiautomatic assault rifles to those that apply to sales or transfers of pistols. These include transfer application requirements and a requirement that semiautomatic assault rifle transfer records be sent to the DOL. The DOL may retain copies or records of semiautomatic assault rifle applications and transfers. These provisions take effect July 1, 2019.

Summary of Bill:

The Department of Licensing (DOL) is prohibited from keeping records of pistol purchase applications and pistol transfers. The DOL must eliminate records of pistol purchase applications or pistol transfers from its databases.

Appropriation: None.

Fiscal Note: Requested on January 18, 2019.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.