
SUBSTITUTE HOUSE BILL 1315

State of Washington

66th Legislature

2020 Regular Session

By House Civil Rights & Judiciary (originally sponsored by Representatives Lovick, Jenkins, Ryu, Senn, Goodman, Kilduff, Bergquist, Kloba, Stanford, Davis, Walen, and Pollet)

READ FIRST TIME 02/04/20.

1 AN ACT Relating to concealed pistol license training
2 requirements; reenacting and amending RCW 9.41.070; and providing an
3 effective date.

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

5 **Sec. 1.** RCW 9.41.070 and 2019 c 249 s 1, 2019 c 135 s 1, and
6 2019 c 46 s 5004 are each reenacted and amended to read as follows:

7 (1) The chief of police of a municipality or the sheriff of a
8 county shall (~~within thirty days after the filing of an application~~
9 ~~of any person,~~) issue a license to ((such)) any person submitting an
10 application pursuant to the requirements of this section to carry a
11 pistol concealed on his or her person within this state for five
12 years from date of issue, for the purposes of protection or while
13 engaged in business, sport, or while traveling. (~~However, if the~~
14 ~~applicant does not have a valid permanent Washington driver's license~~
15 ~~or Washington state identification card or has not been a resident of~~
16 ~~the state for the previous consecutive ninety days, the issuing~~
17 ~~authority shall have up to sixty days after the filing of the~~
18 ~~application to issue a license.)) The issuing authority shall not
19 refuse to accept completed applications for concealed pistol licenses
20 during regular business hours and must issue a license or denial:~~

21 (a) Within thirty days of the date the application was filed; or

1 (b) Within sixty days of the date the application was filed if
2 the applicant does not have a valid permanent Washington driver's
3 license or Washington state identification card or has not been a
4 resident of the state for the previous consecutive ninety days.

5 ~~((The applicant's constitutional right to bear arms))~~ (2) An
6 application for a concealed pistol license shall not be denied,
7 unless the person:

8 (a) ~~((He or she is))~~ Is ineligible to possess a firearm under the
9 provisions of RCW 9.41.040 or 9.41.045, or is prohibited from
10 possessing a firearm under federal law;

11 (b) ~~((The applicant's))~~ Has a concealed pistol license that is in
12 a revoked status;

13 (c) ~~((He or she is))~~ Is under twenty-one years of age;

14 (d) ~~((He or she is))~~ Is subject to a court order or injunction
15 regarding firearms pursuant to chapter 7.90, 7.92, or 7.94 RCW, or
16 RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060,
17 26.10.040, 26.10.115, 26.26B.020, 26.50.060, 26.50.070, or
18 26.26A.470;

19 (e) ~~((He or she is))~~ Is free on bond or personal recognizance
20 pending trial, appeal, or sentencing for a felony offense;

21 (f) ~~((He or she has))~~ Has an outstanding warrant for his or her
22 arrest from any court of competent jurisdiction for a felony or
23 misdemeanor; ~~((or))~~

24 (g) ~~((He or she has))~~ Has been ordered to forfeit a firearm under
25 RCW 9.41.098(1)(e) within one year before filing an application to
26 carry a pistol concealed on his or her person; or

27 (h) Has not provided proof that he or she has completed, or is
28 statutorily exempt from completing, a recognized firearms safety
29 training program within the last five years as provided in subsection
30 (3) of this section.

31 (3)(a) A person applying for a concealed pistol license must
32 provide proof that he or she has completed a recognized firearms
33 safety training program within the last five years that, at a
34 minimum, includes eight hours of instruction on:

35 (i) Basic firearms safety rules;

36 (ii) Firearms and children, including safe storage of firearms
37 and talking to children about firearms safety;

38 (iii) Firearms and suicide prevention;

39 (iv) Safe storage of firearms to prevent unauthorized access and
40 use;

1 (v) Safe handling of firearms;

2 (vi) State and federal firearms laws, including prohibited
3 firearms transfers;

4 (vii) State laws pertaining to the use of deadly force for self-
5 defense;

6 (viii) Techniques for avoiding a criminal attack and how to
7 manage a violent confrontation, including conflict resolution; and

8 (ix) Live-fire shooting exercises on a firing range that include
9 a demonstration by the applicant of the safe handling of, and
10 shooting proficiency with, a pistol.

11 (b) The training must be sponsored by a federal, state, county,
12 or municipal law enforcement agency, a college, a university, a
13 nationally recognized organization that customarily offers firearms
14 training, or a firearms training school with instructors certified by
15 a nationally recognized organization that customarily offers firearms
16 training.

17 (c) The firearms safety training requirement of this subsection
18 shall not apply to:

19 (i) An applicant who is a peace officer certified in accordance
20 with RCW 43.101.095(1);

21 (ii) An applicant who is an active duty member of the armed
22 forces of the United States, an active member of the national guard,
23 or an active member of the armed forces reserves who as part of the
24 applicant's service has completed, within the last five years, a
25 course of training in firearms proficiency or familiarization that
26 included training on the safe handling of, and shooting proficiency
27 with, a pistol;

28 (iii) An applicant applying to renew a concealed pistol license
29 who in connection with a prior application for a concealed pistol
30 license has previously submitted proof of completion of a recognized
31 firearms safety training program to an issuing authority and been
32 granted a concealed pistol license.

33 (d) The Washington state patrol shall prescribe the form and
34 manner of documentation to be provided to an applicant for use as
35 proof of completion of a recognized firearms safety training program
36 and for use as proof of qualifying for an exemption from the firearms
37 safety training requirement of this subsection.

38 (4) No person convicted of a felony may have his or her right to
39 possess firearms restored or his or her privilege to carry a
40 concealed pistol restored, unless the person has been granted relief

1 from disabilities by the attorney general under 18 U.S.C. Sec.
2 925(c), or RCW 9.41.040 (3) or (4) applies.

3 ~~((2))~~ (5)(a) The issuing authority shall conduct a check
4 through the national instant criminal background check system, the
5 Washington state patrol electronic database, the health care
6 authority electronic database, and with other agencies or resources
7 as appropriate, to determine whether the applicant is ineligible
8 under RCW 9.41.040 or 9.41.045 to possess a firearm, or is prohibited
9 from possessing a firearm under federal law, and therefore ineligible
10 for a concealed pistol license.

11 (b) The issuing authority shall deny a ~~((permit))~~ license to
12 anyone who is found to be prohibited from possessing a firearm under
13 federal or state law.

14 (c) (a) and (b) of this subsection apply whether the applicant is
15 applying for a new concealed pistol license or to renew a concealed
16 pistol license.

17 (d) A background check for an original license must be conducted
18 through the Washington state patrol criminal identification section
19 and shall include a national check from the federal bureau of
20 investigation through the submission of fingerprints. The results
21 will be returned to the issuing authority. The applicant may request
22 and receive a copy of the results of the background check from the
23 issuing authority. If the applicant seeks to amend or correct their
24 record, the applicant must contact the Washington state patrol for a
25 Washington state record or the federal bureau of investigation for
26 records from other jurisdictions.

27 ~~((3))~~ (6) Any person whose firearms rights have been restricted
28 and who has been granted relief from disabilities by the attorney
29 general under 18 U.S.C. Sec. 925(c) or who is exempt under 18 U.S.C.
30 Sec. 921(a)(20)(A) shall have his or her right to acquire, receive,
31 transfer, ship, transport, carry, and possess firearms in accordance
32 with Washington state law restored except as otherwise prohibited by
33 this chapter.

34 ~~((4) The license application shall bear the full name,
35 residential address, telephone number at the option of the applicant,
36 email address at the option of the applicant, date and place of
37 birth, race, gender, description, a complete set of fingerprints, and
38 signature of the licensee, and the licensee's driver's license number
39 or state identification card number if used for identification in
40 applying for the license.))~~

1 (7) An applicant for a concealed pistol license must submit to
2 the licensing authority:

3 (a) A completed license application as provided in subsection (8)
4 of this section;

5 (b) A complete set of fingerprints to be forwarded to the
6 Washington state patrol;

7 (c) At the request of the licensing authority, a photograph of
8 the applicant;

9 (d) Evidence of completion of a firearms safety training program
10 as provided in this section or valid proof that the applicant
11 qualifies for a statutory exemption from the firearms safety training
12 requirement; and

13 (e) The licensing fee as provided in subsections (12) through
14 (16) of this section.

15 (8) (a) An application for a concealed pistol license must include
16 the applicant's:

17 (i) Full name and place and date of birth;

18 (ii) Residential address;

19 (iii) Telephone number and email address, at the option of the
20 applicant;

21 (iv) Driver's license number or state identification card number
22 if used for identification in applying for the license;

23 (v) Physical description;

24 (vi) Race and gender; and

25 (vii) Signature.

26 (b) A signed application for a concealed pistol license shall
27 constitute a waiver of confidentiality and written request that the
28 health care authority, mental health institutions, and other health
29 care facilities release information relevant to the applicant's
30 eligibility for a concealed pistol license to an inquiring court or
31 law enforcement agency.

32 ~~((The application for an original license shall include a~~
33 ~~complete set of fingerprints to be forwarded to the Washington state~~
34 ~~patrol.~~

35 ~~The license and application shall contain a warning substantially~~
36 ~~as follows:~~

37 ~~CAUTION: Although state and local laws do not differ, federal~~
38 ~~law and state law on the possession of firearms differ. If~~
39 ~~you are prohibited by federal law from possessing a firearm,~~

1 ~~you may be prosecuted in federal court. A state license is~~
2 ~~not a defense to a federal prosecution.)~~)

3 (c) The application must contain questions about the applicant's
4 eligibility under RCW 9.41.040 and federal law to possess a pistol,
5 the applicant's place of birth, and whether the applicant is a United
6 States citizen. If the applicant is not a United States citizen, the
7 applicant must provide the applicant's country of citizenship, United
8 States-issued alien number or admission number, and the basis on
9 which the applicant claims to be exempt from federal prohibitions on
10 firearm possession by aliens. The applicant shall not be required to
11 produce a birth certificate or other evidence of citizenship. A
12 person who is not a citizen of the United States shall, if
13 applicable, meet the additional requirements of RCW 9.41.173 and
14 produce proof of compliance with RCW 9.41.173 upon application.

15 (9) (a) A concealed pistol license must be issued in triplicate or
16 in a form prescribed by the department of licensing and may include a
17 photograph of the licensee. The original must be delivered to the
18 licensee, the duplicate must be sent within seven days to the
19 director of licensing, and the triplicate must be preserved for six
20 years by the authority issuing the license.

21 (b) The license shall contain a description of the major
22 differences between state and federal law and an explanation of the
23 fact that local laws and ordinances on firearms are preempted by
24 state law and must be consistent with state law.

25 ~~((The application shall contain questions about the applicant's~~
26 ~~eligibility under RCW 9.41.040 and federal law to possess a pistol,~~
27 ~~the applicant's place of birth, and whether the applicant is a United~~
28 ~~States citizen. If the applicant is not a United States citizen, the~~
29 ~~applicant must provide the applicant's country of citizenship, United~~
30 ~~States issued alien number or admission number, and the basis on~~
31 ~~which the applicant claims to be exempt from federal prohibitions on~~
32 ~~firearm possession by aliens. The applicant shall not be required to~~
33 ~~produce a birth certificate or other evidence of citizenship. A~~
34 ~~person who is not a citizen of the United States shall, if~~
35 ~~applicable, meet the additional requirements of RCW 9.41.173 and~~
36 ~~produce proof of compliance with RCW 9.41.173 upon application. The~~
37 ~~license may be in triplicate or in a form to be prescribed by the~~
38 ~~department of licensing.~~

1 ~~A photograph of the applicant may be required as part of the~~
2 ~~application and printed on the face of the license.~~

3 ~~The original thereof shall be delivered to the licensee, the~~
4 ~~duplicate shall within seven days be sent to the director of~~
5 ~~licensing and the triplicate shall be preserved for six years, by the~~
6 ~~authority issuing the license.)~~)

7 (10) The application and license must contain a warning
8 substantially as follows:

9 CAUTION: Although state and local laws do not differ, federal
10 law and state law on the possession of firearms differ. If
11 you are prohibited by federal law from possessing a firearm,
12 you may be prosecuted in federal court. A state license is
13 not a defense to a federal prosecution.

14 (11) The department of licensing shall make available to law
15 enforcement and corrections agencies, in an online format, all
16 information received under this subsection.

17 ~~((+5))~~ (12) The nonrefundable fee, paid upon application, for
18 the original five-year license shall be thirty-six dollars plus
19 additional charges imposed by the federal bureau of investigation
20 that are passed on to the applicant. No other state or local branch
21 or unit of government may impose any additional charges on the
22 applicant for the issuance of the license.

23 The fee shall be distributed as follows:

24 (a) Fifteen dollars shall be paid to the state general fund;

25 (b) Four dollars shall be paid to the agency taking the
26 fingerprints of the person licensed;

27 (c) Fourteen dollars shall be paid to the issuing authority for
28 the purpose of enforcing this chapter;

29 (d) Two dollars and sixteen cents to the firearms range account
30 in the general fund; and

31 (e) Eighty-four cents to the concealed pistol license renewal
32 notification account created in RCW 43.79.540.

33 ~~((+6))~~ (13) The nonrefundable fee for the renewal of such
34 license shall be thirty-two dollars. No other branch or unit of
35 government may impose any additional charges on the applicant for the
36 renewal of the license.

37 The renewal fee shall be distributed as follows:

38 (a) Fifteen dollars shall be paid to the state general fund;

1 (b) Fourteen dollars shall be paid to the issuing authority for
2 the purpose of enforcing this chapter;

3 (c) Two dollars and sixteen cents to the firearms range account
4 in the general fund; and

5 (d) Eighty-four cents to the concealed pistol license renewal
6 notification account created in RCW 43.79.540.

7 ~~((7))~~ (14) The nonrefundable fee for replacement of lost or
8 damaged licenses is ten dollars to be paid to the issuing authority.

9 ~~((8))~~ (15) Payment shall be by cash, check, or money order at
10 the option of the applicant. Additional methods of payment may be
11 allowed at the option of the issuing authority.

12 ~~((9))~~ (16)(a) A licensee may renew a license if the licensee
13 applies for renewal within ninety days before or after the expiration
14 date of the license. A license so renewed shall take effect on the
15 expiration date of the prior license. A licensee renewing after the
16 expiration date of the license must pay a late renewal penalty of ten
17 dollars in addition to the renewal fee specified in subsection
18 ~~((6))~~ (13) of this section. The fee shall be distributed as
19 follows:

20 (i) Three dollars shall be deposited in the state wildlife
21 account and used exclusively first for the printing and distribution
22 of a pamphlet on the legal limits of the use of firearms, firearms
23 safety, and the preemptive nature of state law, and subsequently the
24 support of volunteer instructors in the basic firearms safety
25 training program conducted by the department of fish and wildlife.
26 The pamphlet shall be given to each applicant for a license; and

27 (ii) Seven dollars shall be paid to the issuing authority for the
28 purpose of enforcing this chapter.

29 (b) Beginning with concealed pistol licenses that expire on or
30 after August 1, 2018, the department of licensing shall mail a
31 renewal notice approximately ninety days before the license
32 expiration date to the licensee at the address listed on the
33 concealed pistol license application, or to the licensee's new
34 address if the licensee has notified the department of licensing of a
35 change of address. Alternatively, if the licensee provides an email
36 address at the time of license application, the department of
37 licensing may send the renewal notice to the licensee's email
38 address. The notice must contain the date the concealed pistol
39 license will expire, the amount of renewal fee, the penalty for late
40 renewal, and instructions on how to renew the license.

1 ~~((10))~~ (17) Notwithstanding the requirements of subsections (1)
2 through ~~((9))~~ (16) of this section, the chief of police of the
3 municipality or the sheriff of the county of the applicant's
4 residence may issue a temporary emergency license for good cause
5 pending review under subsection (1) of this section. However, a
6 temporary emergency license issued under this subsection shall not
7 exempt the holder of the license from any records check requirement.
8 Temporary emergency licenses shall be easily distinguishable from
9 regular licenses.

10 ~~((11))~~ (18) A political subdivision of the state shall not
11 modify the requirements of this section or chapter, nor may a
12 political subdivision ask the applicant to voluntarily submit any
13 information not required by this section.

14 ~~((12))~~ (19) A person who knowingly makes a false statement
15 regarding citizenship or identity on an application for a concealed
16 pistol license is guilty of false swearing under RCW 9A.72.040. In
17 addition to any other penalty provided for by law, the concealed
18 pistol license of a person who knowingly makes a false statement
19 shall be revoked, and the person shall be permanently ineligible for
20 a concealed pistol license.

21 ~~((13))~~ (20) A person may apply for a concealed pistol license:

22 (a) To the municipality or to the county in which the applicant
23 resides if the applicant resides in a municipality;

24 (b) To the county in which the applicant resides if the applicant
25 resides in an unincorporated area; or

26 (c) Anywhere in the state if the applicant is a nonresident.

27 ~~((14))~~ (21) Any person who, as a member of the armed forces,
28 including the national guard and armed forces reserves, is unable to
29 renew his or her license under subsections ~~((6))~~ (13) and ~~((9))~~
30 (16) of this section because of the person's assignment,
31 reassignment, or deployment for out-of-state military service may
32 renew his or her license within ninety days after the person returns
33 to this state from out-of-state military service, if the person
34 provides the following to the issuing authority no later than ninety
35 days after the person's date of discharge or assignment,
36 reassignment, or deployment back to this state: (a) A copy of the
37 person's original order designating the specific period of
38 assignment, reassignment, or deployment for out-of-state military
39 service, and (b) if appropriate, a copy of the person's discharge or
40 amended or subsequent assignment, reassignment, or deployment order

1 back to this state. A license so renewed under this subsection
2 (~~(14)~~) shall take effect on the expiration date of the prior
3 license. A licensee renewing after the expiration date of the license
4 under this subsection (~~(14)~~) shall pay only the renewal fee
5 specified in subsection (~~(6)~~) (13) of this section and shall not be
6 required to pay a late renewal penalty in addition to the renewal
7 fee.

8 (~~(15)~~) (22)(a) By October 1, 2019, law enforcement agencies
9 that issue concealed pistol licenses shall develop and implement a
10 procedure for the renewal of concealed pistol licenses through a mail
11 application process, and may develop an online renewal application
12 process, for any person who, as a member of the armed forces,
13 including the national guard and armed forces reserves, is unable to
14 renew his or her license under subsections (~~(6)~~) (13) and (~~(9)~~)
15 (16) of this section because of the person's assignment,
16 reassignment, or deployment for out-of-state military service.

17 (b) A person applying for a license renewal under this subsection
18 shall:

19 (i) Provide a copy of the person's original order designating the
20 specific period of assignment, reassignment, or deployment for out-
21 of-state military service;

22 (ii) Apply for renewal within ninety days before or after the
23 expiration date of the license; and

24 (iii) Pay the renewal licensing fee under subsection (~~(6)~~) (13)
25 of this section, and, if applicable, the late renewal penalty under
26 subsection (~~(9)~~) (16) of this section.

27 (c) A license renewed under this subsection takes effect on the
28 expiration date of the prior license and is valid for a period of one
29 year.

30 NEW SECTION. **Sec. 2.** This act takes effect January 1, 2021.

--- END ---