

SHB 1562 - H AMD 486

By Representative Cheney

NOT ADOPTED 03/08/2023

1 On page 15, line 1, after "(4)" strike "~~((a))~~" and insert "(a)"

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3 On page 15, beginning on line 10, after "insanity." strike all  
4 material through "~~resides.)~~" on page 16, line 2 and insert  
5 "Notwithstanding any other provisions of this section, if a person is  
6 prohibited from possession of a firearm under subsection (1) or (2) of  
7 this section and has not previously been convicted or found not guilty  
8 by reason of insanity of a sex offense prohibiting firearm ownership  
9 under subsection (1) or (2) of this section and/or any felony defined  
10 under any law as a class A felony or with a maximum sentence of at  
11 least 20 years, or both, the individual may petition a court of record  
12 to have his or her right to possess a firearm restored:

13 (i) Under RCW 9.41.047; and/or

14 (ii)(A) If the conviction or finding of not guilty by reason of  
15 insanity was for a felony offense, after five or more consecutive  
16 years in the community without being convicted or found not guilty by  
17 reason of insanity or currently charged with any felony, gross  
18 misdemeanor, or misdemeanor crimes, if the individual has no prior  
19 felony convictions that prohibit the possession of a firearm counted  
20 as part of the offender score under RCW 9.94A.525; or

21 (B) If the conviction or finding of not guilty by reason of  
22 insanity was for a nonfelony offense, after three or more consecutive  
23 years in the community without being convicted or found not guilty by  
24 reason of insanity or currently charged with any felony, gross  
25 misdemeanor, or misdemeanor crimes, if the individual has no prior  
26 felony convictions that prohibit the possession of a firearm counted

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1 as part of the offender score under RCW 9.94A.525 and the individual  
2 has completed all conditions of the sentence.

3 (b) An individual may petition a court of record to have his or  
4 her right to possess a firearm restored under (a) of this subsection  
5 only at:

6 (i) The court of record that ordered the petitioner's prohibition  
7 on possession of a firearm; or

8 (ii) The superior court in the county in which the petitioner  
9 resides."

10 On page 16, beginning on line 28, strike all of subsection (8)  
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12 On page 16, beginning on line 30, strike all of sections 4 and 5

13 Renumber the remaining sections consecutively and correct any  
14 internal references accordingly.

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EFFECT: Reverts to current law governing restoration of  
firearm rights by removing all provisions of the bill that make  
changes to the procedures or requirements for restoration of the  
right to possess firearms. Makes no changes to provisions governing  
the crime of Unlawful Possession of a Firearm.

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