
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1715

State of Washington

68th Legislature

2023 Regular Session

By House Appropriations (originally sponsored by Representatives Davis, Mosbrucker, Duerr, Griffey, Walen, Lekanoff, Morgan, Callan, Ramel, Thai, Rule, Ryu, Kloba, Chopp, Pollet, Chapman, Mena, Cortes, Eslick, Bergquist, and Fey)

READ FIRST TIME 02/24/23.

1 AN ACT Relating to enacting comprehensive protections for victims
2 of domestic violence and other violence involving family members or
3 intimate partners; amending RCW 7.105.155, 7.105.255, 10.99.033,
4 10.99.040, 9.41.340, 9.41.345, 9.41.801, 9.41.804, 7.105.340,
5 10.21.050, 40.24.030, 42.17A.710, 10.31.100, and 36.28A.410; adding
6 new sections to chapter 43.101 RCW; adding a new section to chapter
7 2.53 RCW; adding a new section to chapter 7.105 RCW; adding a new
8 section to chapter 43.330 RCW; adding a new section to chapter 36.28A
9 RCW; adding a new section to chapter 2.56 RCW; creating new sections;
10 and providing an expiration date.

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

12 **Part I. Electronic Monitoring with Victim Notification Technology**

13 NEW SECTION. **Sec. 101.** A new section is added to chapter 43.101
14 RCW to read as follows:

15 (1) By December 1, 2023, the commission must adopt rules:

16 (a) Establishing standards for the operation of electronic
17 monitoring with victim notification technology by monitoring
18 agencies, with the goal of implementing best practices to improve
19 victim safety;

1 (b) Establishing protocols for implementing court orders that
2 include electronic monitoring with victim notification, including
3 protocols for the installation and removal of monitoring devices to
4 ensure uninterrupted monitoring services following release from
5 detention or incarceration; and

6 (c) Establishing any additional requirements necessary to promote
7 compliance with RCW 2.56.260 and 9.94A.736, which may include, but
8 not be limited to, training requirements for court officials, peace
9 officers, 911 dispatchers, local corrections officers and staff, and
10 other appropriate practitioners.

11 (2) In developing the rules required under this section, the
12 commission must solicit input from courts of general and limited
13 jurisdiction, local governments, monitoring agencies, and statewide
14 associations representing law enforcement leaders, prosecutors,
15 domestic violence victims, and domestic violence agencies.

16 (3) The commission must develop a model policy on electronic
17 monitoring with victim notification technology based on best
18 practices where the technology is being currently used in Washington.
19 Each law enforcement agency in the state must adopt its own policy
20 based on the model policy.

21 (4) For the purposes of this section:

22 (a) "Electronic monitoring" has the meaning provided in RCW
23 9.94A.030; and

24 (b) "Monitoring agency" has the meaning provided in RCW
25 9.94A.736.

26 **Part II. Access to Counsel**

27 NEW SECTION. **Sec. 201.** (1) The office of civil legal aid shall
28 propose a plan to standardize and expand statewide access to civil
29 legal assistance for survivors of domestic violence as defined in RCW
30 7.105.010 in protection order proceedings initiated in superior and
31 district courts and in family law proceedings. The plan must include
32 the following specific areas of focus:

33 (a) Exploration of how deployment of publicly funded attorneys
34 could integrate with existing networks of community and nonprofit
35 organizations already providing support for domestic violence
36 survivors;

1 (b) Strategies for expanding the number of private attorneys
2 available to provide effective civil legal representation to domestic
3 violence survivors;

4 (c) Strategies for incorporating high quality, culturally
5 responsive, equity and trauma-informed assistance by nonattorneys
6 into delivery systems where appropriate;

7 (d) A proposed implementation schedule and priorities;

8 (e) Provisions to ensure effective training, support, technical,
9 and other assistance to ensure equity and trauma-informed legal
10 assistance targeted to survivors at greatest risk of lethal and other
11 aggravated harms who are unable to afford counsel;

12 (f) Any statutory changes necessary to implement the plan,
13 including a description of how expanded access to counsel interacts
14 with the appointment of counsel under RCW 7.105.240; and

15 (g) Any other information deemed appropriate by the office of
16 civil legal aid.

17 (2) The office of civil legal aid must report the plan to the
18 appropriate legislative committees by September 30, 2024.

19 (3) This section expires December 31, 2024.

20 NEW SECTION. **Sec. 202.** A new section is added to chapter 2.53
21 RCW to read as follows:

22 The legislature recognizes: The authority of tribes to exercise
23 tribal court civil jurisdiction in domestic violence matters; that
24 tribal courts and tribal programs serve residents of this state; that
25 consistent with tribal sovereignty and the centennial accord, the
26 state of Washington does not have the authority to direct tribal
27 court practices or direct that counsel be appointed in tribal court
28 civil protection proceedings; and that provisions of chapter 7.105
29 RCW do not apply in tribal courts. Where consistent with tribal
30 justice system rules and practices, and upon agreement with
31 individual tribal courts or justice systems, the state should support
32 the provision of indigenous-informed, culturally appropriate legal
33 support for indigenous survivors of domestic violence in tribal court
34 domestic violence protection proceedings. To this end, and subject to
35 appropriations for this purpose, the office of civil legal aid shall
36 coordinate with the Indian policy advisory council at the department
37 of social and health services and representatives of tribal justice
38 systems to develop a plan and implementation schedule to provide
39 indigenous-informed, culturally appropriate legal support for

1 survivors in tribal court domestic violence protection proceedings.
2 The office of civil legal aid shall submit the plan along with fiscal
3 projections for its implementation to the appropriate legislative
4 committees by December 1, 2024.

5 **Part III. Civil Proceedings**

6 **Sec. 301.** RCW 7.105.155 and 2022 c 268 s 10 are each amended to
7 read as follows:

8 When service is to be completed under this chapter by a law
9 enforcement officer:

10 (1) The clerk of the court shall have a copy of any order issued
11 under this chapter, the confidential information form, as well as the
12 petition for a protection order and any supporting materials,
13 electronically forwarded on or before the next judicial day to the
14 law enforcement agency in the county or municipality where the
15 respondent resides, as specified in the order, for service upon the
16 respondent. If the respondent has moved from that county or
17 municipality and personal service is not required, the law
18 enforcement agency specified in the order may serve the order;

19 (2) Service of an order issued under this chapter must take
20 precedence over the service of other documents by law enforcement
21 unless they are of a similar emergency nature;

22 (3) Where personal service is required, the first attempt at
23 service must occur within 24 hours of receiving the order from the
24 court (~~whenever practicable, but not more than five days after~~
25 ~~receiving the order~~) unless an emergency situation renders the
26 service infeasible. If the first attempt is not successful, no fewer
27 than two additional attempts should be made to serve the order,
28 particularly for respondents who present heightened risk of lethality
29 or other risk of physical harm to the petitioner or petitioner's
30 family or household members. All attempts at service must be
31 documented on a proof of service form and submitted to the court in a
32 timely manner;

33 (4) If service cannot be completed within 10 calendar days, the
34 law enforcement officer shall notify the petitioner. The petitioner
35 shall provide information sufficient to permit notification. Law
36 enforcement shall continue to attempt to complete service unless
37 otherwise directed by the court. In the event that the petitioner
38 does not provide a service address for the respondent or there is

1 evidence that the respondent is evading service, the law enforcement
2 officer shall use law enforcement databases to assist in locating the
3 respondent;

4 (5) If the respondent is in a protected person's presence at the
5 time of contact for service, the law enforcement officer should take
6 reasonable steps to separate the parties when possible prior to
7 completing the service or inquiring about or collecting firearms.
8 When the order requires the respondent to vacate the parties' shared
9 residence, law enforcement shall take reasonable steps to ensure that
10 the respondent has left the premises and is on notice that (~~his or~~
11 ~~her~~) the respondent's return is a violation of the terms of the
12 order. The law enforcement officer shall provide the respondent with
13 copies of all forms with the exception of the confidential
14 information form completed by the protected party and the proof of
15 service form;

16 (6) Any law enforcement officer who serves a protection order on
17 a respondent with the knowledge that the respondent requires special
18 assistance due to a disability, brain injury, or impairment shall
19 make a reasonable effort to accommodate the needs of the respondent
20 to the extent practicable without compromise to the safety of the
21 petitioner;

22 (7) Proof of service must be submitted to the court on the proof
23 of service form. The form must include the date and time of service
24 and each document that was served in order for the service to be
25 complete, along with any details such as conduct at the time of
26 service, threats, or avoidance of service, as well as statements
27 regarding possession of firearms, including any denials of ownership
28 despite positive purchase history, active concealed pistol license,
29 or sworn statements in the petition that allege the respondent's
30 access to, or possession of, firearms; or

31 (8) If attempts at service were not successful, the proof of
32 service form or the form letter showing that the order was not
33 served, and stating the reason it was not served, must be returned to
34 the court by the next judicial day following the last unsuccessful
35 attempt at service. Each attempt at service must be noted and
36 reflected in computer aided dispatch records, with the date, time,
37 address, and reason service was not completed.

38 **Sec. 302.** RCW 7.105.255 and 2022 c 268 s 15 are each amended to
39 read as follows:

1 (1) To help ensure familiarity with the unique nature of
2 protection order proceedings, and an understanding of trauma-informed
3 practices and best practices in the use of new technologies for
4 remote hearings, judicial officers, including persons who serve as
5 judicial officers pro tempore, should receive evidence-based training
6 on procedural justice, trauma-informed practices, gender-based
7 violence dynamics, coercive control, elder abuse, juvenile sex
8 offending, teen dating violence, domestic violence homicide
9 prevention, and requirements and best practices for the surrender of
10 weapons before presiding over protection order hearings. Trainings
11 should be provided on an ongoing basis as best practices, research on
12 trauma, and legislation continue to evolve. As a method of continuous
13 training, court commissioners, including pro tempore commissioners,
14 shall be notified by the presiding judge or court administrator upon
15 revision of any decision made under this chapter.

16 (2) The administrative office of the courts shall develop
17 training for judicial officers on the topics listed in subsection (1)
18 of this section, which must be provided free of charge to judicial
19 officers.

20 NEW SECTION. Sec. 303. A new section is added to chapter 7.105
21 RCW to read as follows:

22 (1) Because of the potential for error in protection order
23 proceedings and the danger associated with firearm access in domestic
24 violence situations, in any proceeding in which the court enters a
25 temporary protection order that includes a temporary order to
26 surrender and prohibit weapons, and after the hearing the court
27 denies the petition for a full protection order, the order to
28 surrender and prohibit weapons must remain in effect until the period
29 for a petitioner to file a motion for reconsideration or revision has
30 passed. If a motion for reconsideration or revision is filed, the
31 order to surrender and prohibit weapons must remain in effect until
32 the motion for reconsideration or revision is resolved.

33 (2) The court must notify the petitioner verbally and provide the
34 petitioner with written information at the hearing in which the court
35 denies the petition for a full protection order explaining the
36 procedures and timelines for filing a motion for reconsideration or a
37 motion for revision. The information must also include contact
38 information for civil legal aid organizations that may assist the

1 petitioner with a motion for reconsideration or a motion for
2 revision.

3 (3) Subsection (1) of this section does not apply if allowing the
4 order to surrender and prohibit weapons to remain in effect would be
5 manifestly unjust including, but not limited to, situations where the
6 court finds the temporary protection order was entirely without
7 merit, the petitioner was engaged in abusive use of litigation, or
8 the petitioner was exerting coercive control, as defined in RCW
9 7.105.010, over the respondent.

10 **Part IV. Domestic Violence Protections**

11 **Sec. 401.** RCW 10.99.033 and 2019 c 367 s 2 are each amended to
12 read as follows:

13 (1) All training relating to the handling of domestic violence
14 complaints by law enforcement officers must stress enforcement of
15 criminal laws in domestic situations, availability of community
16 resources, and protection of the victim. Law enforcement agencies and
17 community organizations with expertise in the issue of domestic
18 violence shall cooperate in all aspects of such training.

19 (2) The criminal justice training commission shall implement by
20 July 28, 2019, a course of instruction for the training of law
21 enforcement officers in Washington in the handling of domestic
22 violence complaints. The basic law enforcement curriculum of the
23 criminal justice training commission must include at least twenty
24 hours of basic training instruction on the law enforcement response
25 to domestic violence. The course of instruction, the learning and
26 performance objectives, and the standards for the training must be
27 developed by the commission and focus on enforcing the criminal laws,
28 safety of the victim, and holding the perpetrator accountable for the
29 violence. The curriculum must include training on the extent and
30 prevalence of domestic violence, the importance of criminal justice
31 intervention, techniques for responding to incidents that minimize
32 the likelihood of officer injury and that promote victim safety,
33 trauma-informed investigation and interviewing skills, evidence
34 gathering and report writing, assistance to and services for victims
35 and children, domestic violence homicide prevention, the intersection
36 of firearms and domestic violence, best practices for serving and
37 enforcing protection orders, best practices for implementation and
38 enforcement of orders to surrender and prohibit weapons and extreme

1 risk protection orders, the impacts that trauma may have on domestic
2 violence victims, understanding the risks of traumatic brain injury
3 posed by domestic violence, verification and enforcement of court
4 orders, liability, and any additional provisions that are necessary
5 to carry out the intention of this subsection.

6 (3) The criminal justice training commission shall develop and
7 update annually an in-service training program to familiarize law
8 enforcement officers with domestic violence laws. The program must
9 include techniques for handling incidents of domestic violence that
10 minimize the likelihood of injury to the officer and that promote the
11 safety of all parties. The program must also include training on
12 domestic violence homicide prevention, the intersection of firearms
13 and domestic violence, best practices for serving and enforcing
14 protection orders, and assistance to and services for victims and
15 children. The commission shall make the training program available to
16 all law enforcement agencies in the state.

17 (4) Development of the training in subsections (2) and (3) of
18 this section must be conducted in conjunction with agencies having a
19 primary responsibility for serving victims of domestic violence with
20 emergency shelter and other services, and representatives to the
21 statewide organization providing training and education to these
22 organizations and to the general public.

23 **Sec. 402.** RCW 10.99.040 and 2021 c 215 s 122 are each amended to
24 read as follows:

25 (1) Because of the serious nature of domestic violence, the court
26 in domestic violence actions:

27 (a) Shall not dismiss any charge or delay disposition because of
28 concurrent dissolution or other civil proceedings;

29 (b) Shall not require proof that either party is seeking a
30 dissolution of marriage prior to instigation of criminal proceedings;

31 (c) Shall waive any requirement that the victim's location be
32 disclosed to any person, other than the attorney of a criminal
33 defendant, upon a showing that there is a possibility of further
34 violence: PROVIDED, That the court may order a criminal defense
35 attorney not to disclose to his or her client the victim's location;
36 and

37 (d) Shall identify by any reasonable means on docket sheets those
38 criminal actions arising from acts of domestic violence; and

1 (e) Shall not deny issuance of a no-contact order based on the
2 existence of an applicable civil protection order preventing the
3 defendant from contacting the victim.

4 (2) (a) Because of the likelihood of repeated violence directed at
5 those who have been victims of domestic violence in the past, when
6 any person charged with or arrested for a crime involving domestic
7 violence is released from custody before arraignment or trial on bail
8 or personal recognizance, the court authorizing the release may
9 prohibit that person from having any contact with the victim. The
10 jurisdiction authorizing the release shall determine whether that
11 person should be prohibited from having any contact with the victim.
12 If there is no outstanding restraining or protective order
13 prohibiting that person from having contact with the victim, the
14 court authorizing release may issue, by telephone, a no-contact order
15 prohibiting the person charged or arrested from having contact with
16 the victim or from knowingly coming within, or knowingly remaining
17 within, a specified distance of a location.

18 (b) In issuing the order, the court shall consider the provisions
19 of RCW 9.41.800, and shall order the defendant to surrender, and
20 prohibit the person from possessing, all firearms, dangerous weapons,
21 and any concealed pistol license as required in RCW 9.41.800.

22 (c) The no-contact order shall also be issued in writing as soon
23 as possible, and shall state that it may be extended as provided in
24 subsection (3) of this section. By January 1, 2011, the
25 administrative office of the courts shall develop a pattern form for
26 all no-contact orders issued under this chapter. A no-contact order
27 issued under this chapter must substantially comply with the pattern
28 form developed by the administrative office of the courts.

29 (3) (a) At the time of arraignment the court shall determine
30 whether a no-contact order shall be issued or extended. So long as
31 the court finds probable cause, the court may issue or extend a no-
32 contact order even if the defendant fails to appear at arraignment.
33 The no-contact order shall terminate if the defendant is acquitted or
34 the charges are dismissed.

35 (b) In issuing the order, the court shall consider all
36 information documented in the incident report concerning the person's
37 possession of and access to firearms and whether law enforcement took
38 temporary custody of firearms at the time of the arrest. The court
39 may as a condition of release prohibit the defendant from possessing
40 or accessing firearms and order the defendant to immediately

1 surrender all firearms and any concealed pistol license to a law
2 enforcement agency upon release.

3 (c) If a no-contact order is issued or extended, the court may
4 also include in the conditions of release a requirement that the
5 defendant submit to electronic monitoring as defined in RCW
6 9.94A.030. If electronic monitoring is ordered, the court shall
7 specify who shall provide the monitoring services, and the terms
8 under which the monitoring shall be performed. Upon conviction, the
9 court may require as a condition of the sentence that the defendant
10 (~~reimburse the providing agency for~~) pay the costs of the
11 electronic monitoring. If a defendant enters into a deferred
12 prosecution or stipulated order of continuance, the applicable order
13 or agreement may require the defendant pay the costs of the
14 electronic monitoring.

15 (4) (a) Willful violation of a court order issued under subsection
16 (2), (3), or (7) of this section is punishable under RCW 7.105.450.

17 (b) The written order releasing the person charged or arrested
18 shall contain the court's directives and shall bear the legend:
19 "Violation of this order is a criminal offense under chapter 7.105
20 RCW and will subject a violator to arrest; any assault, drive-by
21 shooting, or reckless endangerment that is a violation of this order
22 is a felony. You can be arrested even if any person protected by the
23 order invites or allows you to violate the order's prohibitions. You
24 have the sole responsibility to avoid or refrain from violating the
25 order's provisions. Only the court can change the order."

26 (c) A certified copy of the order shall be provided to the
27 victim.

28 (5) If a no-contact order has been issued prior to charging, that
29 order shall expire at arraignment or within seventy-two hours if
30 charges are not filed.

31 (6) Whenever a no-contact order is issued, modified, or
32 terminated under subsection (2) or (3) of this section, the clerk of
33 the court shall forward a copy of the order on or before the next
34 judicial day to the appropriate law enforcement agency specified in
35 the order. Upon receipt of the copy of the order the law enforcement
36 agency shall enter the order for one year or until the expiration
37 date specified on the order into any computer-based criminal
38 intelligence information system available in this state used by law
39 enforcement agencies to list outstanding warrants. Entry into the
40 computer-based criminal intelligence information system constitutes

1 notice to all law enforcement agencies of the existence of the order.
2 The order is fully enforceable in any jurisdiction in the state. Upon
3 receipt of notice that an order has been terminated under subsection
4 (3) of this section, the law enforcement agency shall remove the
5 order from the computer-based criminal intelligence information
6 system.

7 (7) All courts shall develop policies and procedures by January
8 1, 2011, to grant victims a process to modify or rescind a no-contact
9 order issued under this chapter. The administrative office of the
10 courts shall develop a model policy to assist the courts in
11 implementing the requirements of this subsection.

12 **Part V. Firearms and Dangerous Weapons**

13 **Sec. 501.** RCW 9.41.340 and 2020 c 29 s 5 are each amended to
14 read as follows:

15 (1) (a) Each law enforcement agency shall develop a notification
16 protocol that ~~((allows))~~ :

17 (i) Allows a family or household member or intimate partner to
18 use an incident or case number to request to be notified when a law
19 enforcement agency returns a privately owned firearm to the
20 individual from whom it was obtained or to an authorized
21 representative of that person; and

22 (ii) Requires, once the portal created under section 804 of this
23 act is available, immediate law enforcement entry in a portal created
24 and maintained by the Washington association of sheriffs and police
25 chiefs with the intended purpose to provide timely and accurate
26 information to the statewide automated protected person notification
27 system created under RCW 36.28A.410 when a law enforcement agency
28 returns a privately owned firearm to any respondent identified in a
29 no-contact order, restraining order, or protection order.

30 ~~((a))~~ (b) (i) Notification may be made via telephone, email,
31 text message, or another method that allows notification to be
32 provided without unnecessary delay.

33 ~~((b))~~ (ii) If a law enforcement agency is in possession of more
34 than one privately owned firearm from ~~((a single person))~~ an
35 individual, notification relating to the return of one firearm shall
36 be considered notification for all privately owned firearms for that
37 person.

1 (2) A law enforcement agency shall not provide notification to
2 any party other than ~~((a family or household member or intimate
3 partner who has an incident or case number and who has requested to
4 be notified pursuant to this section or))~~ another criminal justice
5 agency or as authorized or required under subsection (1) of this
6 section.

7 (3) The information provided by a family or household member or
8 intimate partner pursuant to chapter 130, Laws of 2015, including the
9 existence of the request for notification, is not subject to public
10 disclosure pursuant to chapter 42.56 RCW.

11 (4) An appointed or elected official, public employee, or public
12 agency as defined in RCW 4.24.470, or combination of units of local
13 government and its employees, as provided in RCW 36.28A.010, are
14 immune from civil liability for damages for any release of
15 information or the failure to release information related to this
16 section, so long as the release or failure was without gross
17 negligence.

18 (5) An individual who knowingly makes a request for notification
19 under this section based on false information may be held liable
20 under RCW 9A.76.175.

21 **Sec. 502.** RCW 9.41.345 and 2020 c 29 s 6 are each amended to
22 read as follows:

23 (1) Before a law enforcement agency returns a privately owned
24 firearm, the law enforcement agency must:

25 (a) Confirm that the individual to whom the firearm will be
26 returned is the individual from whom the firearm was obtained or an
27 authorized representative of that person;

28 (b) Confirm that the individual to whom the firearm will be
29 returned is eligible to possess a firearm pursuant to RCW 9.41.040;

30 (c) Ensure that the firearm is not otherwise required to be held
31 in custody or otherwise prohibited from being released; ~~((and))~~

32 (d) Ensure that twenty-four hours have elapsed from the time the
33 firearm was obtained by law enforcement, unless the firearm was
34 seized in connection with a domestic violence call pursuant to RCW
35 10.99.030, in which case the law enforcement agency must ensure that
36 five business days have elapsed from the time the firearm was
37 obtained;

38 (e) If a family or household member or intimate partner has
39 requested notification, provide notice to the family or household

1 member or intimate partner who has requested notification within one
2 business day of verifying that the requirements in (a) through (c) of
3 this subsection have been met; and

4 (f) Once the portal created under section 804 of this act is
5 available, immediately enter in the portal created and maintained by
6 the Washington association of sheriffs and police chiefs with the
7 intended purpose to provide timely and accurate information to the
8 statewide automated protected person notification system created
9 under RCW 36.28A.410, when any respondent identified in a no-contact
10 order, restraining order, or protection order has met the
11 requirements in (a) through (c) of this subsection. Law enforcement
12 must provide the respondent's name, date of birth, protective order
13 number, and date the respondent is eligible to have the respondent's
14 firearms returned.

15 (2) (a) Once the requirements in subsections (1) and (3) of this
16 section have been met, a law enforcement agency must release a
17 firearm to the individual from whom it was obtained or an authorized
18 representative of that person upon request without unnecessary delay.

19 (b) (i) If a firearm cannot be returned because it is required to
20 be held in custody or is otherwise prohibited from being released, a
21 law enforcement agency must provide written notice to the individual
22 from whom it was obtained within five business days of the individual
23 requesting return of ~~((his or her))~~ the firearm and specify the
24 reason the firearm must be held in custody.

25 (ii) Notification may be made via email, text message, mail
26 service, or personal service. For methods other than personal
27 service, service shall be considered complete once the notification
28 is sent.

29 ~~(3) If ((a family or household member or intimate partner has~~
30 ~~requested to be notified pursuant to RCW 9.41.340))~~ notification is
31 required under subsections (1)(e) or (f) of this section, a law
32 enforcement agency must ~~((÷~~

33 ~~(a) Provide notice to the family or household member or intimate~~
34 ~~partner within one business day of verifying that the requirements in~~
35 ~~subsection (1) of this section have been met; and~~

36 ~~(b) Hold))~~ hold the firearm in custody for seventy-two hours from
37 the time notification has been provided or information has been
38 entered.

39 (4) (a) A law enforcement agency may not return a concealed pistol
40 license that has been surrendered to, or impounded by, the law

1 enforcement agency for any reason to the licensee until the law
2 enforcement agency determines the licensee is eligible to possess a
3 firearm under state and federal law and meets the other eligibility
4 requirements for a concealed pistol license under RCW 9.41.070.

5 (b) A law enforcement agency must release a concealed pistol
6 license to the licensee without unnecessary delay, and in no case
7 longer than five business days, after the law enforcement agency
8 determines the requirements of (a) of this subsection have been met.

9 (5) The provisions of chapter 130, Laws of 2015 and subsection
10 (4) of this section shall not apply to circumstances where a law
11 enforcement officer has momentarily obtained a firearm or concealed
12 pistol license from an individual and would otherwise immediately
13 return the firearm or concealed pistol license to the individual
14 during the same interaction.

15 **Sec. 503.** RCW 9.41.801 and 2022 c 268 s 30 are each amended to
16 read as follows:

17 (1) Because of the heightened risk of lethality to petitioners
18 when respondents to protection orders become aware of court
19 involvement and continue to have access to firearms, and the
20 frequency of noncompliance with court orders prohibiting possession
21 of firearms, law enforcement and judicial processes must emphasize
22 swift and certain compliance with court orders prohibiting access,
23 possession, and ownership of all firearms.

24 (2) A law enforcement officer serving a protection order, no-
25 contact order, or restraining order that includes an order to
26 surrender all firearms, dangerous weapons, and a concealed pistol
27 license under RCW 9.41.800 shall inform the respondent that the order
28 is effective upon service and the respondent must immediately
29 surrender all firearms and dangerous weapons in the respondent's
30 custody, control, or possession and any concealed pistol license
31 issued under RCW 9.41.070, and conduct any search permitted by law
32 for such firearms, dangerous weapons, and concealed pistol license.
33 The law enforcement officer shall take possession of all firearms,
34 dangerous weapons, and any concealed pistol license belonging to the
35 respondent that are surrendered, in plain sight, or discovered
36 pursuant to a lawful search. If the order is entered in open court
37 and the respondent appears in person, the respondent shall be
38 provided a copy and further service is not required. If the
39 respondent refuses to receive a copy, an agent of the court may

1 indicate on the record that the respondent refused to receive a copy
2 of the order. If the respondent appears remotely for the hearing, or
3 leaves the hearing before a final ruling is issued or order signed,
4 and the court believes the respondent has sufficient notice such that
5 additional service is not necessary, the order must recite that the
6 respondent appeared before the court, has actual notice of the order,
7 the necessity for further service is waived, and proof of service of
8 the order is not necessary. The court shall enter the service and
9 receipt into the record. A copy of the order and service shall be
10 transmitted immediately to law enforcement. The respondent must
11 immediately surrender all firearms, dangerous weapons, and any
12 concealed pistol license in a safe manner to the control of the local
13 law enforcement agency on the day of the hearing at which the
14 respondent was present in person or remotely. Alternatively, if
15 personal service by a law enforcement officer is not possible, and
16 the respondent did not appear in person or remotely at the hearing,
17 the respondent shall surrender the firearms in a safe manner to the
18 control of the local law enforcement agency within 24 hours of being
19 served with the order by alternate service.

20 (3) At the time of surrender, a law enforcement officer taking
21 possession of firearms, dangerous weapons, and any concealed pistol
22 license shall issue a receipt identifying all firearms, dangerous
23 weapons, and any concealed pistol license that have been surrendered
24 and provide a copy of the receipt to the respondent. The law
25 enforcement agency shall file the original receipt with the court
26 within 24 hours after service of the order and retain a copy of the
27 receipt, electronically whenever electronic filing is available.

28 (4) Upon the sworn statement or testimony of the petitioner or of
29 any law enforcement officer alleging that the respondent has failed
30 to comply with the surrender of firearms or dangerous weapons as
31 required by an order issued under RCW 9.41.800 or 10.99.100, the
32 court shall determine whether probable cause exists to believe that
33 the respondent has failed to surrender all firearms and dangerous
34 weapons in their possession, custody, or control. If probable cause
35 exists that a crime occurred, the court shall issue a warrant
36 describing the firearms or dangerous weapons and authorizing a search
37 of the locations where the firearms and dangerous weapons are
38 reasonably believed to be and the seizure of all firearms and
39 dangerous weapons discovered pursuant to such search.

1 (5) If a person other than the respondent claims title to any
2 firearms or dangerous weapons surrendered pursuant to this section,
3 and the person is determined by the law enforcement agency to be the
4 lawful owner of the firearm or dangerous weapon, the firearm or
5 dangerous weapon shall be returned to the lawful owner, provided
6 that:

7 (a) The firearm or dangerous weapon is removed from the
8 respondent's access, custody, control, or possession and the lawful
9 owner agrees by written document signed under penalty of perjury to
10 store the firearm or dangerous weapon in a manner such that the
11 respondent does not have access to or control of the firearm or
12 dangerous weapon;

13 (b) The firearm or dangerous weapon is not otherwise unlawfully
14 possessed by the owner; and

15 (c) The requirements of RCW 9.41.345 are met.

16 (6) Courts shall develop procedures to verify timely and complete
17 compliance with orders to surrender and prohibit weapons under RCW
18 9.41.800 or 10.99.100, including compliance review hearings to be
19 held as soon as possible upon receipt from law enforcement of proof
20 of service. A compliance review hearing is not required if the court
21 can otherwise enter findings on the record or enter written findings
22 that the proof of surrender or declaration of nonsurrender attested
23 to by the person subject to the order, along with verification from
24 law enforcement and any other relevant evidence, makes a sufficient
25 showing that the person has timely and completely surrendered all
26 firearms and dangerous weapons in the person's custody, control, or
27 possession, and any concealed pistol license issued under RCW
28 9.41.070, to a law enforcement agency. If the court does not have a
29 sufficient record before it on which to make such a finding, the
30 court must set a review hearing to occur as soon as possible at which
31 the respondent must be present and provide proof of compliance with
32 the court's order. Courts shall make available forms that petitioners
33 may complete and submit to the court in response to a respondent's
34 declaration of whether the respondent has surrendered weapons.

35 (7) (a) If a court finds at the compliance review hearing, or any
36 other hearing where compliance with the order to surrender and
37 prohibit weapons is addressed, that there is probable cause to
38 believe the respondent was aware of and failed to fully comply with
39 the order, failed to appear at the compliance review hearing, or
40 violated the order after the court entered findings of compliance,

1 pursuant to its authority under chapter 7.21 RCW, the court may issue
2 an arrest warrant and initiate a contempt proceeding to impose
3 remedial sanctions on its own motion, or upon the motion of the
4 prosecutor, city attorney, or the petitioner's counsel, and issue an
5 order requiring the respondent to appear, provide proof of compliance
6 with the order, and show cause why the respondent should not be held
7 in contempt of court.

8 (b) If the respondent is not present in court at the compliance
9 review hearing or if the court issues an order to appear and show
10 cause after a compliance review hearing, the clerk of the court shall
11 electronically transmit a copy of the order to show cause to the law
12 enforcement agency where the respondent resides for personal service
13 or service in the manner provided in the civil rules of superior
14 court or applicable statute. Law enforcement shall also serve a copy
15 of the order to show cause on the petitioner, either electronically
16 or in person, at no cost.

17 (c) The order to show cause served upon the respondent shall
18 state the date, time, and location of the hearing and shall include a
19 warning that the respondent may be held in contempt of court if the
20 respondent fails to promptly comply with the terms of the order to
21 surrender and prohibit weapons and a warning that an arrest warrant
22 could be issued if the respondent fails to appear on the date and
23 time provided in the order.

24 (d) (i) At the show cause hearing, the respondent must be present
25 and provide proof of compliance with the underlying court order to
26 surrender and prohibit weapons and demonstrate why the relief
27 requested should not be granted.

28 (ii) The court shall take judicial notice of the receipt filed
29 with the court by the law enforcement agency pursuant to subsection
30 (3) of this section. The court shall also provide sufficient notice
31 to the law enforcement agency of the hearing. Upon receiving notice
32 pursuant to this subsection, a law enforcement agency must:

33 (A) Provide the court with a complete list of firearms and other
34 dangerous weapons surrendered by the respondent or otherwise
35 belonging to the respondent that are in the possession of the law
36 enforcement agency; and

37 (B) Provide the court with verification that any concealed pistol
38 license issued to the respondent has been surrendered and the agency
39 with authority to revoke the license has been notified.

1 (iii) If the law enforcement agency has a reasonable suspicion
2 that the respondent is not in full compliance with the terms of the
3 order, the law enforcement agency must submit the basis for its
4 belief to the court, and may do so through the filing of a
5 declaration.

6 (e) If the court finds the respondent in contempt, the court may
7 impose remedial sanctions designed to ensure swift compliance with
8 the order to surrender and prohibit weapons.

9 (f) The court may order a respondent found in contempt of the
10 order to surrender and prohibit weapons to pay for any losses
11 incurred by a party in connection with the contempt proceeding,
12 including reasonable attorneys' fees, service fees, and other costs.
13 The costs of the proceeding shall not be borne by the petitioner.

14 (8) (a) To help ensure that accurate and comprehensive information
15 about firearms compliance is provided to judicial officers, a
16 representative from either the prosecuting attorney's office or city
17 attorney's office, or both, from the relevant jurisdiction may appear
18 and be heard or submit written information at any hearing that
19 concerns compliance with an order to surrender and prohibit weapons
20 issued in connection with another type of protection order.

21 (b) Either the prosecuting attorney's office or city attorney's
22 office, or both, from the relevant jurisdiction may designate an
23 advocate or a staff person from their office who is not an attorney
24 to appear on behalf of their office. Such appearance does not
25 constitute the unauthorized practice of law.

26 (9) (a) An order to surrender and prohibit weapons issued pursuant
27 to RCW 9.41.800 must state that the act of voluntarily surrendering
28 firearms or weapons, or providing testimony relating to the surrender
29 of firearms or weapons, pursuant to such an order, may not be used
30 against the respondent in any criminal prosecution under this
31 chapter, chapter 7.105 RCW, or RCW 9A.56.310.

32 (b) To provide relevant information to the court to determine
33 compliance with the order, the court may allow the prosecuting
34 attorney or city attorney to question the respondent regarding
35 compliance.

36 (10) All law enforcement agencies must have policies and
37 procedures to provide for the acceptance, storage, and return of
38 firearms, dangerous weapons, and concealed pistol licenses that a
39 court requires must be surrendered under RCW 9.41.800. A law
40 enforcement agency holding any firearm or concealed pistol license

1 that has been surrendered under RCW 9.41.800 shall comply with the
2 provisions of RCW 9.41.340 and 9.41.345 before the return of the
3 firearm or concealed pistol license to the owner or individual from
4 whom it was obtained.

5 (11) The administrative office of the courts shall create a
6 statewide pattern form to assist the courts in ensuring timely and
7 complete compliance in a consistent manner with orders issued under
8 this chapter. The administrative office of the courts shall report
9 annually on the number of orders issued under this chapter by each
10 court, the degree of compliance, and the number of firearms obtained,
11 and may make recommendations regarding additional procedures to
12 enhance compliance and victim safety.

13 **Sec. 504.** RCW 9.41.804 and 2014 c 111 s 5 are each amended to
14 read as follows:

15 ((A)) (1) Except as provided in subsection (2) of this section, a
16 party ordered to surrender firearms, dangerous weapons, and ((his or
17 her)) the party's concealed pistol license under RCW 9.41.800 must
18 file with the clerk of the court a proof of surrender and receipt
19 form or a declaration of nonsurrender form within five judicial days
20 of the entry of the order.

21 (2) A person ordered to surrender firearms or dangerous weapons
22 under RCW 10.99.100 must file with the clerk of the court a proof of
23 surrender and receipt form or a declaration of nonsurrender form
24 before the defendant is released from any term of confinement, or, if
25 the defendant is not sentenced to a term of confinement, before the
26 conclusion of the hearing regarding the entry of the order.

27 **Sec. 505.** RCW 7.105.340 and 2022 c 268 s 19 are each amended to
28 read as follows:

29 (1) Upon the issuance of any extreme risk protection order under
30 this chapter, including a temporary extreme risk protection order,
31 the court shall:

32 (a) Order the respondent to surrender to the local law
33 enforcement agency all firearms in the respondent's custody, control,
34 or possession, and any concealed pistol license issued under RCW
35 9.41.070; and

36 (b) Other than for ex parte temporary protection orders, direct
37 law enforcement to revoke any concealed pistol license issued to the
38 respondent.

1 (2) The law enforcement officer serving any extreme risk
2 protection order under this chapter, including a temporary extreme
3 risk protection order, shall request that the respondent immediately
4 surrender all firearms in (~~his or her~~) the respondent's custody,
5 control, or possession, and any concealed pistol license issued under
6 RCW 9.41.070, and conduct any search permitted by law for such
7 firearms. The law enforcement officer shall take possession of all
8 firearms belonging to the respondent that are surrendered, in plain
9 sight, or discovered pursuant to a lawful search. If the order is
10 entered in open court and the respondent appears in person, the
11 respondent must be provided a copy and further service is not
12 required. If the respondent refuses to accept a copy, an agent of the
13 court may indicate on the record that the respondent refused to
14 accept a copy of the order. If the respondent appears remotely for
15 the hearing, or leaves the hearing before a final ruling is issued or
16 order signed, and the court believes the respondent has sufficient
17 notice such that additional service is not necessary, the order must
18 recite that the respondent appeared before the court, has actual
19 notice of the order, the necessity for further service is waived, and
20 proof of service of the order is not necessary. The court shall enter
21 the service and receipt into the record. A copy of the order and
22 service must be transmitted immediately to law enforcement. The
23 respondent must immediately surrender all firearms and any concealed
24 pistol license, not previously surrendered, in a safe manner to the
25 control of the local law enforcement agency on the day of the hearing
26 at which the respondent was present in person or remotely. If the
27 respondent is in custody, arrangements to recover the firearms must
28 be made prior to release. Alternatively, if personal service by a law
29 enforcement officer is not possible, and the respondent did not
30 appear in person or remotely at the hearing, the respondent shall
31 surrender the firearms in a safe manner to the control of the local
32 law enforcement agency within 24 hours of being served with the order
33 by alternate service.

34 (3) At the time of surrender, a law enforcement officer taking
35 possession of a firearm or concealed pistol license shall issue a
36 receipt identifying all firearms that have been surrendered and
37 provide a copy of the receipt to the respondent. Within 72 hours
38 after service of the order, the officer serving the order shall file
39 the original receipt with the court and shall ensure that (~~his or~~

1 ~~her~~) the officer's law enforcement agency retains a copy of the
2 receipt.

3 (4) Upon the sworn statement or testimony of the petitioner or of
4 any law enforcement officer alleging that the respondent has failed
5 to comply with the surrender of firearms as required by an order
6 issued under this chapter, the court shall determine whether probable
7 cause exists to believe that the respondent has failed to surrender
8 all firearms in (~~his or her~~) the respondent's possession, custody,
9 or control. If probable cause for a violation of the order exists,
10 the court shall issue a warrant describing the firearms and
11 authorizing a search of the locations where the firearms are
12 reasonably believed to be and the seizure of any firearms discovered
13 pursuant to such search.

14 (5) If a person other than the respondent claims title to any
15 firearms surrendered pursuant to this section, and that person is
16 determined by the law enforcement agency to be the lawful owner of
17 the firearm, the firearm must be returned to that person, provided
18 that:

19 (a) The firearm is removed from the respondent's custody,
20 control, or possession, and the lawful owner provides written
21 verification to the court regarding how the lawful owner will safely
22 store the firearm in a manner such that the respondent does not have
23 access to, or control of, the firearm for the duration of the order;

24 (b) The court advises the lawful owner of the penalty for failure
25 to do so; and

26 (c) The firearm is not otherwise unlawfully possessed by the
27 owner.

28 (6) Upon the issuance of a one-year extreme risk protection
29 order, the court shall order a new compliance review hearing date and
30 require the respondent to appear not later than three judicial days
31 from the issuance of the order. The court shall require a showing
32 that the respondent has surrendered any firearms in the respondent's
33 custody, control, or possession, and any concealed pistol license
34 issued under RCW 9.41.070 to a law enforcement agency. The compliance
35 review hearing is not required upon a satisfactory showing on which
36 the court can otherwise enter findings on the record that the
37 respondent has timely and completely surrendered all firearms in the
38 respondent's custody, control, or possession, and any concealed
39 pistol license issued under RCW 9.41.070 to a law enforcement agency,
40 and is in compliance with the order. If the court does not have a

1 sufficient record before it on which to make such a finding, the
2 court must set a review hearing to occur as soon as possible, at
3 which the respondent must be present and provide proof of compliance
4 with the court's order.

5 (7) (a) If a court finds at the compliance review hearing, or any
6 other hearing where compliance with the order is addressed, that
7 there is probable cause to believe the respondent was aware of, and
8 failed to fully comply with, the order, failed to appear at the
9 compliance review hearing, or violated the order after the court
10 entered findings of compliance, pursuant to its authority under
11 chapter 7.21 RCW, the court may initiate a contempt proceeding on its
12 own motion, or upon the motion of the prosecutor, city attorney, or
13 the petitioner's counsel, to impose remedial sanctions, and issue an
14 order requiring the respondent to appear, provide proof of compliance
15 with the order, and show cause why the respondent should not be held
16 in contempt of court.

17 (b) If the respondent is not present in court at the compliance
18 review hearing or if the court issues an order to appear and show
19 cause after a compliance review hearing, the clerk of the court shall
20 electronically transmit a copy of the order to show cause to the law
21 enforcement agency where the respondent resides for personal service
22 or service in the manner provided in the civil rules of superior
23 court or applicable statute.

24 (c) The order to show cause served upon the respondent shall
25 state the date, time, and location of the hearing, and shall include
26 a warning that the respondent may be held in contempt of court if the
27 respondent fails to promptly comply with the terms of the extreme
28 risk protection order and a warning that an arrest warrant could be
29 issued if the respondent fails to appear on the date and time
30 provided in the order to show cause.

31 (d) (i) At the show cause hearing, the respondent must be present
32 and provide proof of compliance with the extreme risk protection
33 order and demonstrate why the relief requested should not be granted.

34 (ii) The court shall take judicial notice of the receipt filed
35 with the court by the law enforcement agency pursuant to subsection
36 (3) of this section. The court shall also provide sufficient notice
37 to the law enforcement agency of the hearing. Upon receiving notice
38 pursuant to this subsection, a law enforcement agency must:

39 (A) Provide the court with a complete list of firearms
40 surrendered by the respondent or otherwise belonging to the

1 respondent that are in the possession of the law enforcement agency;
2 and

3 (B) Provide the court with verification that any concealed pistol
4 license issued to the respondent has been surrendered and that a law
5 enforcement agency with authority to revoke the license has been
6 notified.

7 (iii) If the law enforcement agency has a reasonable suspicion
8 that the respondent is not in full compliance with the terms of the
9 order, the law enforcement agency must submit the basis for its
10 belief to the court, and may do so through the filing of an
11 affidavit.

12 (e) If the court finds the respondent in contempt, the court may
13 impose remedial sanctions designed to ensure swift compliance with
14 the order to surrender and prohibit weapons.

15 (f) The court may order a respondent found in contempt of the
16 order to pay for any losses incurred by a party in connection with
17 the contempt proceeding, including reasonable attorneys' fees,
18 service fees, and other costs. The costs of the proceeding must not
19 be borne by the petitioner.

20 (8) (a) To help ensure that accurate and comprehensive information
21 about firearms compliance is provided to judicial officers, a
22 representative from either the prosecuting attorney's office or city
23 attorney's office, or both, from the relevant jurisdiction may appear
24 and be heard or submit written information at any hearing that
25 concerns compliance with an extreme risk protection order.

26 (b) Either the prosecuting attorney's office or city attorney's
27 office, or both, from the relevant jurisdiction may designate an
28 advocate or a staff person from their office who is not an attorney
29 to appear on behalf of their office. Such appearance does not
30 constitute the unauthorized practice of law.

31 (9) (a) An extreme risk protection order must state that the act
32 of voluntarily surrendering firearms, or providing testimony relating
33 to the surrender of firearms, pursuant to such an order, may not be
34 used against the respondent in any criminal prosecution under this
35 chapter, chapter 9.41 RCW, or RCW 9A.56.310.

36 (b) To provide relevant information to the court to determine
37 compliance with the order, the court may allow the prosecuting
38 attorney or city attorney to question the respondent regarding
39 compliance.

1 (10) All law enforcement agencies must develop and implement
2 policies and procedures regarding the acceptance, storage, and return
3 of firearms required to be surrendered under this chapter. Any
4 surrendered firearms must be handled and stored properly to prevent
5 damage or degradation in appearance or function, and the condition of
6 the surrendered firearms documented, including by digital photograph.
7 A law enforcement agency holding any surrendered firearm or concealed
8 pistol license shall comply with the provisions of RCW 9.41.340 and
9 9.41.345 before the return of the firearm or concealed pistol license
10 to the owner or individual from whom it was obtained.

11 **Sec. 506.** RCW 10.21.050 and 2018 c 276 s 5 are each amended to
12 read as follows:

13 The judicial officer in any felony, misdemeanor, or gross
14 misdemeanor case must, in determining whether there are conditions of
15 release that will reasonably assure the safety of any other person
16 and the community, take into account the available information
17 concerning:

18 (1) The nature and circumstances of the offense charged,
19 including whether the offense is a crime of violence;

20 (2) The weight of the evidence against the defendant; and

21 (3) The history and characteristics of the defendant, including:

22 (a) The ~~((person's))~~ defendant's character, physical and mental
23 condition, family ties, employment, financial resources, length of
24 residence in the community, community ties, past conduct, history
25 relating to drug or alcohol abuse, criminal history, and record
26 concerning appearance at court proceedings;

27 (b) Whether, at the time of the current offense or arrest, the
28 defendant was on community supervision, probation, parole, or on
29 other release pending trial, sentencing, appeal, or completion of
30 sentence for an offense under federal, state, or local law; ~~((and))~~

31 (c) The nature and seriousness of the danger to any person or the
32 community that would be posed by the defendant's release; and

33 (d) The defendant's firearms history, including purchase history,
34 any concealed pistol license history, and the requirements of RCW
35 9.41.800 regarding issuance of an order to surrender and prohibit
36 weapons.

37 **Part VI. Residential Protections**

1 **Sec. 601.** RCW 40.24.030 and 2022 c 231 s 5 are each amended to
2 read as follows:

3 (1) (a) An adult person, a parent or guardian acting on behalf of
4 a minor, or a guardian acting on behalf of an incapacitated person,
5 (~~as defined in RCW 11.88.010,~~) (b) any election official as
6 described in RCW 9A.90.120 who is a target for threats or harassment
7 prohibited under RCW 9A.90.120(2)(b) (iii) or (iv), and any (~~family~~
8 ~~members~~) person residing with (~~him or her~~) them, and (c) any
9 criminal justice participant as defined in RCW 9A.46.020 who is a
10 target for threats or harassment prohibited under RCW 9A.46.020(2)(b)
11 (iii) or (iv) and any criminal justice participant as defined in RCW
12 9A.90.120 who is a target for threats or harassment prohibited under
13 RCW 9A.90.120(2)(b) (iii) or (iv), and any (~~family members~~) person
14 residing with (~~him or her~~) them, may apply to the secretary of
15 state to have an address designated by the secretary of state serve
16 as the person's address or the address of the minor or incapacitated
17 person. The secretary of state shall approve an application if it is
18 filed in the manner and on the form prescribed by the secretary of
19 state and if it contains:

20 (i) A sworn statement, under penalty of perjury, by the applicant
21 that the applicant has good reason to believe (A) that the applicant,
22 or the minor or incapacitated person on whose behalf the application
23 is made, is a victim of domestic violence, sexual assault,
24 trafficking, or stalking and that the applicant fears for (~~his or~~
25 ~~her~~) the applicant's safety or (~~his or her~~) the applicant's
26 children's safety, or the safety of the minor or incapacitated person
27 on whose behalf the application is made(~~+~~) (B) that the applicant,
28 as an election official as described in RCW 9A.90.120, is a target
29 for threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii)
30 or (iv); or (C) that the applicant, as a criminal justice participant
31 as defined in RCW 9A.46.020, is a target for threats or harassment
32 prohibited under RCW 9A.46.020(2)(b) (iii) or (iv), or that the
33 applicant, as a criminal justice participant as defined in RCW
34 9A.90.120 is a target for threats or harassment prohibited under RCW
35 9A.90.120(2)(b) (iii) or (iv);

36 (ii) If applicable, a sworn statement, under penalty of perjury,
37 by the applicant, that the applicant has reason to believe they are a
38 victim of (A) domestic violence, sexual assault, or stalking
39 perpetrated by an employee of a law enforcement agency, or(~~+~~) (B)

1 threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or
2 (iv) or 9A.46.020(2)(b) (iii) or (iv);

3 (iii) A designation of the secretary of state as agent for
4 purposes of service of process and for the purpose of receipt of
5 mail;

6 (iv) The residential address and any telephone number where the
7 applicant can be contacted by the secretary of state, which shall not
8 be disclosed because disclosure will increase the risk of (A)
9 domestic violence, sexual assault, trafficking, or stalking, or (B)
10 threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or
11 (iv) or 9A.46.020(2)(b) (iii) or (iv);

12 (v) The signature of the applicant and of any individual or
13 representative of any office designated in writing under RCW
14 40.24.080 who assisted in the preparation of the application, and the
15 date on which the applicant signed the application.

16 (2) Applications shall be filed with the office of the secretary
17 of state.

18 (3) Upon filing a properly completed application, the secretary
19 of state shall certify the applicant as a program participant.
20 Applicants shall be certified for four years following the date of
21 filing unless the certification is withdrawn or invalidated before
22 that date. The secretary of state shall by rule establish a renewal
23 procedure.

24 (4)(a) During the application process, the secretary of state
25 shall provide each applicant a form to direct the department of
26 licensing to change the address of registration for vehicles or
27 vessels solely or jointly registered to the applicant and the address
28 associated with the applicant's driver's license or identicard to the
29 applicant's address as designated by the secretary of state upon
30 certification in the program. The directive to the department of
31 licensing is only valid if signed by the applicant. The directive may
32 only include information required by the department of licensing to
33 verify the applicant's identity and ownership information for
34 vehicles and vessels. This information is limited to the:

35 (i) Applicant's full legal name;

36 (ii) Applicant's Washington driver's license or identicard
37 number;

38 (iii) Applicant's date of birth;

39 (iv) Vehicle identification number and license plate number for
40 each vehicle solely or jointly registered to the applicant; and

1 (v) Hull identification number or vessel document number and
2 vessel decal number for each vessel solely or jointly registered to
3 the applicant.

4 (b) Upon certification of the applicants, the secretary of state
5 shall transmit completed and signed directives to the department of
6 licensing.

7 (c) Within 30 days of receiving a completed and signed directive,
8 the department of licensing shall update the applicant's address on
9 registration and licensing records.

10 (d) Applicants are not required to sign the directive to the
11 department of licensing to be certified as a program participant.

12 (5) A person who knowingly provides false or incorrect
13 information upon making an application or falsely attests in an
14 application that disclosure of the applicant's address would endanger

15 (a) the applicant's safety or the safety of the applicant's children
16 or the minor or incapacitated person on whose behalf the application
17 is made, (b) the safety of any election official as described in RCW
18 9A.90.120 who is a target for threats or harassment prohibited under
19 RCW 9A.90.120(2)(b)(iii) or (iv), or (c) the safety of any criminal
20 justice participant as defined in RCW 9A.46.020 who is a target for
21 threats or harassment prohibited under RCW 9A.46.020(2)(b)(iii) or
22 (iv) or of any criminal justice participant as defined in RCW
23 9A.90.120 who is a target for threats or harassment prohibited under
24 RCW 9A.90.120(2)(b)(iii) or (iv), or any family members residing
25 with (~~him or her~~) them, shall be punished under RCW 40.16.030 or
26 other applicable statutes.

27 **Sec. 602.** RCW 42.17A.710 and 2019 c 428 s 36 are each amended to
28 read as follows:

29 (1) The statement of financial affairs required by RCW 42.17A.700
30 shall disclose the following information for the reporting individual
31 and each member of the reporting individual's immediate family:

32 (a) Occupation, name of employer, and business address;

33 (b) Each bank account, savings account, and insurance policy in
34 which a direct financial interest was held that exceeds twenty
35 thousand dollars at any time during the reporting period; each other
36 item of intangible personal property in which a direct financial
37 interest was held that exceeds two thousand dollars during the
38 reporting period; the name, address, and nature of the entity; and

1 the nature and highest value of each direct financial interest during
2 the reporting period;

3 (c) The name and address of each creditor to whom the value of
4 two thousand dollars or more was owed; the original amount of each
5 debt to each creditor; the amount of each debt owed to each creditor
6 as of the date of filing; the terms of repayment of each debt; and
7 the security given, if any, for each such debt. Debts arising from a
8 "retail installment transaction" as defined in chapter 63.14 RCW
9 (retail installment sales act) need not be reported;

10 (d) Every public or private office, directorship, and position
11 held as trustee; except that an elected official or executive state
12 officer need not report the elected official's or executive state
13 officer's service on a governmental board, commission, association,
14 or functional equivalent, when such service is part of the elected
15 official's or executive state officer's official duties;

16 (e) All persons for whom any legislation, rule, rate, or standard
17 has been prepared, promoted, or opposed for current or deferred
18 compensation. For the purposes of this subsection, "compensation"
19 does not include payments made to the person reporting by the
20 governmental entity for which the person serves as an elected
21 official or state executive officer or professional staff member for
22 the person's service in office; the description of such actual or
23 proposed legislation, rules, rates, or standards; and the amount of
24 current or deferred compensation paid or promised to be paid;

25 (f) The name and address of each governmental entity,
26 corporation, partnership, joint venture, sole proprietorship,
27 association, union, or other business or commercial entity from whom
28 compensation has been received in any form of a total value of two
29 thousand dollars or more; the value of the compensation; and the
30 consideration given or performed in exchange for the compensation;

31 (g) The name of any corporation, partnership, joint venture,
32 association, union, or other entity in which is held any office,
33 directorship, or any general partnership interest, or an ownership
34 interest of ten percent or more; the name or title of that office,
35 directorship, or partnership; the nature of ownership interest; and:

36 (i) With respect to a governmental unit in which the official seeks
37 or holds any office or position, if the entity has received
38 compensation in any form during the preceding twelve months from the
39 governmental unit, the value of the compensation and the
40 consideration given or performed in exchange for the compensation;

1 and (ii) the name of each governmental unit, corporation,
2 partnership, joint venture, sole proprietorship, association, union,
3 or other business or commercial entity from which the entity has
4 received compensation in any form in the amount of ten thousand
5 dollars or more during the preceding twelve months and the
6 consideration given or performed in exchange for the compensation. As
7 used in (g) (ii) of this subsection, "compensation" does not include
8 payment for water and other utility services at rates approved by the
9 Washington state utilities and transportation commission or the
10 legislative authority of the public entity providing the service.
11 With respect to any bank or commercial lending institution in which
12 is held any office, directorship, partnership interest, or ownership
13 interest, it shall only be necessary to report either the name,
14 address, and occupation of every director and officer of the bank or
15 commercial lending institution and the average monthly balance of
16 each account held during the preceding twelve months by the bank or
17 commercial lending institution from the governmental entity for which
18 the individual is an official or candidate or professional staff
19 member, or all interest paid by a borrower on loans from and all
20 interest paid to a depositor by the bank or commercial lending
21 institution if the interest exceeds two thousand four hundred
22 dollars;

23 (h) A list, including legal or other sufficient descriptions as
24 prescribed by the commission, of all real property in the state of
25 Washington, the assessed valuation of which exceeds ten thousand
26 dollars in which any direct financial interest was acquired during
27 the preceding calendar year, and a statement of the amount and nature
28 of the financial interest and of the consideration given in exchange
29 for that interest;

30 (i) A list, including legal or other sufficient descriptions as
31 prescribed by the commission, of all real property in the state of
32 Washington, the assessed valuation of which exceeds ten thousand
33 dollars in which any direct financial interest was divested during
34 the preceding calendar year, and a statement of the amount and nature
35 of the consideration received in exchange for that interest, and the
36 name and address of the person furnishing the consideration;

37 (j) A list, including legal or other sufficient descriptions as
38 prescribed by the commission, of all real property in the state of
39 Washington, the assessed valuation of which exceeds ten thousand
40 dollars in which a direct financial interest was held. If a

1 description of the property has been included in a report previously
2 filed, the property may be listed, for purposes of this subsection
3 (1)(j), by reference to the previously filed report;

4 (k) A list, including legal or other sufficient descriptions as
5 prescribed by the commission, of all real property in the state of
6 Washington, the assessed valuation of which exceeds twenty thousand
7 dollars, in which a corporation, partnership, firm, enterprise, or
8 other entity had a direct financial interest, in which corporation,
9 partnership, firm, or enterprise a ten percent or greater ownership
10 interest was held;

11 (l) A list of each occasion, specifying date, donor, and amount,
12 at which food and beverage in excess of fifty dollars was accepted
13 under RCW 42.52.150(5);

14 (m) A list of each occasion, specifying date, donor, and amount,
15 at which items specified in RCW 42.52.010(9) (d) and (f) were
16 accepted; and

17 (n) Such other information as the commission may deem necessary
18 in order to properly carry out the purposes and policies of this
19 chapter, as the commission shall prescribe by rule.

20 (2)(a) When judges, prosecutors, sheriffs, participants in the
21 address confidentiality program under RCW 40.24.030, or their
22 immediate family members are required to disclose real property that
23 is the personal residence of the judge, prosecutor, ~~((or))~~ sheriff,
24 or address confidentiality program participant, the requirements of
25 subsection (1)(h) through (k) of this section may be satisfied for
26 that property by substituting:

27 (i) The city or town;

28 (ii) The type of residence, such as a single-family or
29 multifamily residence, and the nature of ownership; and

30 (iii) Such other identifying information the commission
31 prescribes by rule for the mailing address where the property is
32 located.

33 (b) Nothing in this subsection relieves the judge, prosecutor, or
34 sheriff of any other applicable obligations to disclose potential
35 conflicts or to recuse oneself.

36 (3)(a) Where an amount is required to be reported under
37 subsection (1)(a) through (m) of this section, it may be reported
38 within a range as provided in (b) of this subsection.

39 (b)

Code A	Less than thirty thousand dollars;
Code B	At least thirty thousand dollars, but less than sixty thousand dollars;
Code C	At least sixty thousand dollars, but less than one hundred thousand dollars;
Code D	At least one hundred thousand dollars, but less than two hundred thousand dollars;
Code E	At least two hundred thousand dollars, but less than five hundred thousand dollars;
Code F	At least five hundred thousand dollars, but less than seven hundred and fifty thousand dollars;
Code G	At least seven hundred fifty thousand dollars, but less than one million dollars; or
Code H	One million dollars or more.

(c) An amount of stock may be reported by number of shares instead of by market value. No provision of this subsection may be interpreted to prevent any person from filing more information or more detailed information than required.

(4) Items of value given to an official's or employee's spouse, domestic partner, or family member are attributable to the official or employee, except the item is not attributable if an independent business, family, or social relationship exists between the donor and the spouse, domestic partner, or family member.

Part VII. Statewide Resources

NEW SECTION. **Sec. 701.** A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission must administer a grant program for establishing a statewide resource prosecutor for domestic violence cases.

(2) The grant recipient must be a statewide organization or association representing prosecuting attorneys. The grant recipient must hire a resource prosecutor for the following purposes:

1 (a) To provide technical assistance and research to prosecutors
2 for prosecuting domestic violence cases;

3 (b) To provide training on implementation and enforcement of
4 orders to surrender and prohibit weapons, extreme risk protection
5 orders, first appearances, case resolution, duties regarding recovery
6 of firearms at the scene of domestic violence incidents, service of
7 orders to surrender weapons and extreme risk protection orders, and
8 firearm rights restoration petitions for domestic violence
9 perpetrators;

10 (c) To provide additional training and resources to prosecutors
11 to support a trauma-informed, victim-centered approach to prosecuting
12 domestic violence cases;

13 (d) To meet regularly with law enforcement agencies and
14 prosecutors to explain legal issues and prosecutorial approaches to
15 domestic violence cases and provide and receive feedback to improve
16 case outcomes;

17 (e) To consult with the commission with respect to developing and
18 implementing best practices for prosecuting domestic violence cases
19 across the state; and

20 (f) To comply with other requirements established by the
21 commission under this section.

22 (3) The commission may establish additional appropriate
23 conditions for any grant awarded under this section. The commission
24 may adopt necessary policies and procedures to implement and
25 administer the grant program, including monitoring the use of grant
26 funds and compliance with the grant requirements.

27 NEW SECTION. **Sec. 702.** A new section is added to chapter 43.330
28 RCW to read as follows:

29 (1) Subject to the availability of amounts appropriated for this
30 specific purpose, the department shall administer a pilot program to
31 implement domestic violence high risk teams. A domestic violence high
32 risk team must, at a minimum, include the following four elements:

33 (a) Early identification of the most dangerous cases through
34 evidence-based lethality assessments;

35 (b) Increased access to supportive services for high-risk
36 victims;

37 (c) Increased perpetrator monitoring and accountability; and

38 (d) A coordinated response to high-risk cases through a
39 multidisciplinary team.

1 (2) A domestic violence program must be the lead or co-lead of
2 the domestic violence high risk teams.

3 **Part VIII. Law Enforcement**

4 NEW SECTION. **Sec. 801.** A new section is added to chapter 43.101
5 RCW to read as follows:

6 (1) Subject to the availability of amounts appropriated for this
7 specific purpose, the commission must provide ongoing specialized,
8 intensive, and integrative training for persons responsible for
9 investigating domestic violence cases involving intimate partners.
10 The training must be based on a victim-centered, trauma-informed
11 approach to responding to domestic violence. Among other subjects,
12 the training must include content on the neurobiology of trauma and
13 trauma-informed interviewing, counseling, and investigative
14 techniques.

15 (2) The training must: Be based on research-based practices and
16 standards; offer participants an opportunity to practice interview
17 skills and receive feedback from instructors; minimize the trauma of
18 all persons who are interviewed during investigations; provide
19 methods of reducing the number of investigative interviews necessary
20 whenever possible; assure, to the extent possible, that investigative
21 interviews are thorough, objective, and complete; recognize needs of
22 special populations; recognize the nature and consequences of
23 domestic violence victimization; require investigative interviews to
24 be conducted in a manner most likely to permit the interviewed
25 persons the maximum emotional comfort under the circumstances;
26 address record retention and retrieval; address documentation of
27 investigative interviews; and educate investigators on the best
28 practices for notifying victims of significant events in the
29 investigative process.

30 (3) In developing the training, the commission must seek advice
31 from the Washington association of sheriffs and police chiefs,
32 organizations representing victims of domestic violence, and experts
33 on domestic violence and the neurobiology of trauma. The commission
34 must consult with the Washington association of prosecuting attorneys
35 in an effort to design training containing consistent elements for
36 all professionals engaged in interviewing and interacting with
37 domestic violence victims in the criminal legal system.

1 (4) The commission must develop the training and begin offering
2 it by January 1, 2025. Officers assigned to regularly investigate
3 domestic violence must complete the training within one year of being
4 assigned or by July 1, 2026, whichever is later.

5 **Sec. 802.** RCW 10.31.100 and 2021 c 215 s 118 are each amended to
6 read as follows:

7 A police officer having probable cause to believe that a person
8 has committed or is committing a felony shall have the authority to
9 arrest the person without a warrant. A police officer may arrest a
10 person without a warrant for committing a misdemeanor or gross
11 misdemeanor only when the offense is committed in the presence of an
12 officer, except as provided in subsections (1) through (11) of this
13 section.

14 (1) Any police officer having probable cause to believe that a
15 person has committed or is committing a misdemeanor or gross
16 misdemeanor, involving physical harm or threats of harm to any person
17 or property or the unlawful taking of property or involving the use
18 or possession of cannabis, or involving the acquisition, possession,
19 or consumption of alcohol by a person under the age of twenty-one
20 years under RCW 66.44.270, or involving criminal trespass under RCW
21 9A.52.070 or 9A.52.080, shall have the authority to arrest the
22 person.

23 (2) A police officer shall arrest and take into custody, pending
24 release on bail, personal recognizance, or court order, a person
25 without a warrant when the officer has probable cause to believe
26 that:

27 (a) A domestic violence protection order, a sexual assault
28 protection order, a stalking protection order, or a vulnerable adult
29 protection order has been issued, of which the person has knowledge,
30 under chapter 7.105 RCW, or an order has been issued, of which the
31 person has knowledge, under RCW 26.44.063, or chapter 9A.40, 9A.46,
32 9A.88, 10.99, 26.09, (~~26.10,~~) 26.26A, 26.26B, or 74.34 RCW, or any
33 of the former chapters 7.90, 7.92, and 26.50 RCW, restraining the
34 person and the person has violated the terms of the order restraining
35 the person from acts or threats of violence, or restraining the
36 person from going onto the grounds of, or entering, a residence,
37 workplace, school, or day care, or prohibiting the person from
38 knowingly coming within, or knowingly remaining within, a specified
39 distance of a location, a protected party's person, or a protected

1 party's vehicle, or requiring the person to submit to electronic
2 monitoring, or, in the case of an order issued under RCW 26.44.063,
3 imposing any other restrictions or conditions upon the person;

4 (b) An extreme risk protection order has been issued against the
5 person under chapter 7.105 RCW or former RCW 7.94.040, the person has
6 knowledge of the order, and the person has violated the terms of the
7 order prohibiting the person from having in (~~his or her~~) the
8 person's custody or control, purchasing, possessing, accessing, or
9 receiving a firearm or concealed pistol license;

10 (c) A foreign protection order, as defined in RCW 26.52.010, or a
11 Canadian domestic violence protection order, as defined in RCW
12 26.55.010, has been issued of which the person under restraint has
13 knowledge and the person under restraint has violated a provision of
14 the foreign protection order or the Canadian domestic violence
15 protection order prohibiting the person under restraint from
16 contacting or communicating with another person, or excluding the
17 person under restraint from a residence, workplace, school, or day
18 care, or prohibiting the person from knowingly coming within, or
19 knowingly remaining within, a specified distance of a location, a
20 protected party's person, or a protected party's vehicle, or a
21 violation of any provision for which the foreign protection order or
22 the Canadian domestic violence protection order specifically
23 indicates that a violation will be a crime; or

24 (d) The person is eighteen years or older and within the
25 preceding four hours has assaulted a family or household member or
26 intimate partner as defined in RCW 10.99.020 and the officer
27 believes: (i) A felonious assault has occurred; (ii) an assault has
28 occurred which has resulted in bodily injury to the victim, whether
29 the injury is observable by the responding officer or not; or (iii)
30 that any physical action has occurred which was intended to cause
31 another person reasonably to fear imminent serious bodily injury or
32 death. Bodily injury means physical pain, illness, or an impairment
33 of physical condition. When the officer has probable cause to believe
34 that family or household members or intimate partners have assaulted
35 each other, the officer is not required to arrest both persons. The
36 officer shall arrest the person whom the officer believes to be the
37 primary (~~physical~~) aggressor. In making this determination, the
38 officer shall make every reasonable effort to consider: (A) The
39 intent to protect victims of domestic violence under RCW 10.99.010;
40 (B) the comparative extent of injuries inflicted or serious threats

1 creating fear of physical injury; and (C) the history of domestic
2 violence of each person involved, including whether the conduct was
3 part of an ongoing pattern of abuse.

4 (3) Any police officer having probable cause to believe that a
5 person has committed or is committing a violation of any of the
6 following traffic laws shall have the authority to arrest the person:

7 (a) RCW 46.52.010, relating to duty on striking an unattended car
8 or other property;

9 (b) RCW 46.52.020, relating to duty in case of injury to, or
10 death of, a person or damage to an attended vehicle;

11 (c) RCW 46.61.500 or 46.61.530, relating to reckless driving or
12 racing of vehicles;

13 (d) RCW 46.61.502 or 46.61.504, relating to persons under the
14 influence of intoxicating liquor or drugs;

15 (e) RCW 46.61.503 or 46.25.110, relating to persons having
16 alcohol or THC in their system;

17 (f) RCW 46.20.342, relating to driving a motor vehicle while
18 operator's license is suspended or revoked;

19 (g) RCW 46.61.5249, relating to operating a motor vehicle in a
20 negligent manner.

21 (4) A law enforcement officer investigating at the scene of a
22 motor vehicle accident may arrest the driver of a motor vehicle
23 involved in the accident if the officer has probable cause to believe
24 that the driver has committed, in connection with the accident, a
25 violation of any traffic law or regulation.

26 (5) (a) A law enforcement officer investigating at the scene of a
27 motor vessel accident may arrest the operator of a motor vessel
28 involved in the accident if the officer has probable cause to believe
29 that the operator has committed, in connection with the accident, a
30 criminal violation of chapter 79A.60 RCW.

31 (b) A law enforcement officer investigating at the scene of a
32 motor vessel accident may issue a citation for an infraction to the
33 operator of a motor vessel involved in the accident if the officer
34 has probable cause to believe that the operator has committed, in
35 connection with the accident, a violation of any boating safety law
36 of chapter 79A.60 RCW.

37 (6) Any police officer having probable cause to believe that a
38 person has committed or is committing a violation of RCW 79A.60.040
39 shall have the authority to arrest the person.

1 (7) An officer may act upon the request of a law enforcement
2 officer, in whose presence a traffic infraction was committed, to
3 stop, detain, arrest, or issue a notice of traffic infraction to the
4 driver who is believed to have committed the infraction. The request
5 by the witnessing officer shall give an officer the authority to take
6 appropriate action under the laws of the state of Washington.

7 (8) Any police officer having probable cause to believe that a
8 person has committed or is committing any act of indecent exposure,
9 as defined in RCW 9A.88.010, may arrest the person.

10 (9) A police officer may arrest and take into custody, pending
11 release on bail, personal recognizance, or court order, a person
12 without a warrant when the officer has probable cause to believe that
13 an antiharassment protection order has been issued of which the
14 person has knowledge under chapter 7.105 RCW or former chapter 10.14
15 RCW and the person has violated the terms of that order.

16 (10) Any police officer having probable cause to believe that a
17 person has, within twenty-four hours of the alleged violation,
18 committed a violation of RCW 9A.50.020 may arrest such person.

19 (11) A police officer having probable cause to believe that a
20 person illegally possesses or illegally has possessed a firearm or
21 other dangerous weapon on private or public elementary or secondary
22 school premises shall have the authority to arrest the person.

23 For purposes of this subsection, the term "firearm" has the
24 meaning defined in RCW 9.41.010 and the term "dangerous weapon" has
25 the meaning defined in RCW 9.41.250 and 9.41.280(1) (c) through (e).

26 (12) A law enforcement officer having probable cause to believe
27 that a person has committed a violation under RCW 77.15.160(5) may
28 issue a citation for an infraction to the person in connection with
29 the violation.

30 (13) A law enforcement officer having probable cause to believe
31 that a person has committed a criminal violation under RCW 77.15.809
32 or 77.15.811 may arrest the person in connection with the violation.

33 (14) Except as specifically provided in subsections (2), (3),
34 (4), and (7) of this section, nothing in this section extends or
35 otherwise affects the powers of arrest prescribed in Title 46 RCW.

36 (15) No police officer may be held criminally or civilly liable
37 for making an arrest pursuant to subsection (2) or (9) of this
38 section if the police officer acts in good faith and without malice.

39 (16)(a) Except as provided in (b) of this subsection, a police
40 officer shall arrest and keep in custody, until release by a judicial

1 officer on bail, personal recognizance, or court order, a person
2 without a warrant when the officer has probable cause to believe that
3 the person has violated RCW 46.61.502 or 46.61.504 or an equivalent
4 local ordinance and the police officer: (i) Has knowledge that the
5 person has a prior offense as defined in RCW 46.61.5055 within ten
6 years; or (ii) has knowledge, based on a review of the information
7 available to the officer at the time of arrest, that the person is
8 charged with or is awaiting arraignment for an offense that would
9 qualify as a prior offense as defined in RCW 46.61.5055 if it were a
10 conviction.

11 (b) A police officer is not required to keep in custody a person
12 under (a) of this subsection if the person requires immediate medical
13 attention and is admitted to a hospital.

14 **Sec. 803.** RCW 36.28A.410 and 2021 c 215 s 147 are each amended
15 to read as follows:

16 (1)(a) Subject to the availability of amounts appropriated for
17 this specific purpose, the Washington association of sheriffs and
18 police chiefs shall create and operate a statewide automated
19 protected person notification system to automatically notify a
20 registered person via the registered person's choice of telephone or
21 email when a respondent subject to a court order specified in (b) of
22 this subsection has attempted to purchase or acquire a firearm and
23 been denied based on a background check or completed and submitted
24 firearm purchase or transfer application that indicates the
25 respondent is ineligible to possess a firearm under state or federal
26 law. The system must permit a person to register for notification, or
27 a registered person to update the person's registration information,
28 for the statewide automated protected person notification system by
29 calling a toll-free telephone number or by accessing a public
30 website.

31 (b) The notification requirements of this section apply to any
32 court order issued under chapter 7.105 RCW or former chapter 7.92
33 RCW, RCW 9A.46.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060,
34 26.10.040, 26.26A.470, or 26.26B.020, any of the former RCW 7.90.090,
35 10.14.080, 26.10.115, 26.50.060, and 26.50.070, any foreign
36 protection order filed with a Washington court pursuant to chapter
37 26.52 RCW, and any Canadian domestic violence protection order filed
38 with a Washington court pursuant to chapter 26.55 RCW, where the
39 order prohibits the respondent from possessing firearms or where by

1 operation of law the respondent is ineligible to possess firearms
2 during the term of the order. The notification requirements of this
3 section apply even if the respondent has notified the Washington
4 state patrol that (~~he or she~~) the respondent has appealed a
5 background check denial under RCW 43.43.823.

6 (c) The statewide automated protected person notification system
7 must interface with the Washington state patrol, the administrative
8 office of the courts, and any court not contributing data to the
9 administrative office of the courts in real time.

10 (2) An appointed or elected official, public employee, or public
11 agency as defined in RCW 4.24.470, or combination of units of
12 government and its employees, as provided in RCW 36.28A.010, are
13 immune from civil liability for damages for any release of
14 information or the failure to release information related to the
15 statewide automated protected person notification system in this
16 section, so long as the release or failure to release was without
17 gross negligence. The immunity provided under this subsection applies
18 to the release of relevant and necessary information to other public
19 officials, public employees, or public agencies, and to the general
20 public.

21 (3) Information and records prepared, owned, used, or retained by
22 the Washington association of sheriffs and police chiefs pursuant to
23 chapter 261, Laws of 2017, including information a person submits to
24 register and participate in the statewide automated protected person
25 notification system, are exempt from public inspection and copying
26 under chapter 42.56 RCW.

27 NEW SECTION. Sec. 804. A new section is added to chapter 36.28A
28 RCW to read as follows:

29 Subject to the availability of amounts appropriated for this
30 specific purpose, the Washington association of sheriffs and police
31 chiefs must create and maintain an electronic portal for law
32 enforcement to enter when any respondent identified in a no-contact
33 order, restraining order, or protection order has met the
34 requirements in RCW 9.41.345. The portal shall collect the
35 respondent's name, date of birth, protective order number, and date
36 the respondent is eligible to have the respondent's firearms
37 returned.

