S-0056.5

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SENATE BILL 5099**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 69th Legislature 2025 Regular Session**

**By** Senators Lovick, Pedersen, Conway, Cortes, Dhingra, Frame, Liias, Nobles, Saldaña, Salomon, Slatter, Stanford, Valdez, and C. Wilson

AN ACT Relating to protecting the public from gun violence by establishing additional requirements for the business operations of licensed firearms dealers; amending RCW 9.41.100 and 9.41.110; reenacting and amending RCW 9.41.010; and adding new sections to chapter 9.41 RCW.

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

**Sec.**  RCW 9.41.010 and 2024 c 289 s 1 and 2024 c 62 s 32 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Antique firearm" means a firearm or replica of a firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, including any matchlock, flintlock, percussion cap, or similar type of ignition system and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

(2)(a) "Assault weapon" means:

(i) Any of the following specific firearms regardless of which company produced and manufactured the firearm:

|  |
| --- |
| AK-47 in all forms |
| AK-74 in all forms |
| Algimec AGM-1 type semiautomatic |
| American Arms Spectre da semiautomatic carbine |
| AR15, M16, or M4 in all forms |
| AR 180 type semiautomatic |
| Argentine L.S.R. semiautomatic |
| Australian Automatic |
| Auto-Ordnance Thompson M1 and 1927 semiautomatics |
| Barrett .50 cal light semiautomatic |
| Barrett .50 cal M87 |
| Barrett .50 cal M107A1 |
| Barrett REC7 |
| Beretta AR70/S70 type semiautomatic |
| Bushmaster Carbon 15 |
| Bushmaster ACR |
| Bushmaster XM-15 |
| Bushmaster MOE |
| Calico models M100 and M900 |
| CETME Sporter |
| CIS SR 88 type semiautomatic |
| Colt CAR 15 |
| Daewoo K-1 |
| Daewoo K-2 |
| Dragunov semiautomatic |
| Fabrique Nationale FAL in all forms |
| Fabrique Nationale F2000 |
| Fabrique Nationale L1A1 Sporter |
| Fabrique Nationale M249S |
| Fabrique Nationale PS90 |
| Fabrique Nationale SCAR |
| FAMAS .223 semiautomatic |
| Galil |
| Heckler & Koch G3 in all forms |
| Heckler & Koch HK-41/91 |
| Heckler & Koch HK-43/93 |
| Heckler & Koch HK94A2/3 |
| Heckler & Koch MP-5 in all forms |
| Heckler & Koch PSG-1 |
| Heckler & Koch SL8 |
| Heckler & Koch UMP |
| Manchester Arms Commando MK-45 |
| Manchester Arms MK-9 |
| SAR-4800 |
| SIG AMT SG510 in all forms |
| SIG SG550 in all forms |
| SKS |
| Spectre M4 |
| Springfield Armory BM-59 |
| Springfield Armory G3 |
| Springfield Armory SAR-8 |
| Springfield Armory SAR-48 |
| Springfield Armory SAR-3 |
| Springfield Armory M-21 sniper |
| Springfield Armory M1A |
| Smith & Wesson M&P 15 |
| Sterling Mk 1 |
| Sterling Mk 6/7 |
| Steyr AUG |
| TNW M230 |
| FAMAS F11 |
| Uzi 9mm carbine/rifle |

(ii) A semiautomatic rifle that has an overall length of less than 30 inches;

(iii) A conversion kit, part, or combination of parts, from which an assault weapon can be assembled or from which a firearm can be converted into an assault weapon if those parts are in the possession or under the control of the same person; or

(iv) A semiautomatic, center fire rifle that has the capacity to accept a detachable magazine and has one or more of the following:

(A) A grip that is independent or detached from the stock that protrudes conspicuously beneath the action of the weapon. The addition of a fin attaching the grip to the stock does not exempt the grip if it otherwise resembles the grip found on a pistol;

(B) Thumbhole stock;

(C) Folding or telescoping stock;

(D) Forward pistol, vertical, angled, or other grip designed for use by the nonfiring hand to improve control;

(E) Flash suppressor, flash guard, flash eliminator, flash hider, sound suppressor, silencer, or any item designed to reduce the visual or audio signature of the firearm;

(F) Muzzle brake, recoil compensator, or any item designed to be affixed to the barrel to reduce recoil or muzzle rise;

(G) Threaded barrel designed to attach a flash suppressor, sound suppressor, muzzle break, or similar item;

(H) Grenade launcher or flare launcher; or

(I) A shroud that encircles either all or part of the barrel designed to shield the bearer's hand from heat, except a solid forearm of a stock that covers only the bottom of the barrel;

(v) A semiautomatic, center fire rifle that has a fixed magazine with the capacity to accept more than 10 rounds;

(vi) A semiautomatic pistol that has the capacity to accept a detachable magazine and has one or more of the following:

(A) A threaded barrel, capable of accepting a flash suppressor, forward handgrip, or silencer;

(B) A second hand grip;

(C) A shroud that encircles either all or part of the barrel designed to shield the bearer's hand from heat, except a solid forearm of a stock that covers only the bottom of the barrel; or

(D) The capacity to accept a detachable magazine at some location outside of the pistol grip;

(vii) A semiautomatic shotgun that has any of the following:

(A) A folding or telescoping stock;

(B) A grip that is independent or detached from the stock that protrudes conspicuously beneath the action of the weapon. The addition of a fin attaching the grip to the stock does not exempt the grip if it otherwise resembles the grip found on a pistol;

(C) A thumbhole stock;

(D) A forward pistol, vertical, angled, or other grip designed for use by the nonfiring hand to improve control;

(E) A fixed magazine in excess of seven rounds; or

(F) A revolving cylinder shotgun.

(b) For the purposes of this subsection, "fixed magazine" means an ammunition feeding device contained in, or permanently attached to, a firearm in such a manner that the device cannot be removed without disassembly of the firearm action.

(c) "Assault weapon" does not include antique firearms, any firearm that has been made permanently inoperable, or any firearm that is manually operated by bolt, pump, lever, or slide action.

(3) "Assemble" means to fit together component parts.

(4) "Barrel length" means the distance from the bolt face of a closed action down the length of the axis of the bore to the crown of the muzzle, or in the case of a barrel with attachments to the end of any legal device permanently attached to the end of the muzzle.

(5) "Bump-fire stock" means a butt stock designed to be attached to a semiautomatic firearm with the effect of increasing the rate of fire achievable with the semiautomatic firearm to that of a fully automatic firearm by using the energy from the recoil of the firearm to generate reciprocating action that facilitates repeated activation of the trigger.

(6) "Conviction" or "convicted" means, whether in an adult court or adjudicated in a juvenile court, that a plea of guilty has been accepted or a verdict of guilty has been filed, or a finding of guilt has been entered, notwithstanding the pendency of any future proceedings including, but not limited to, sentencing or disposition, posttrial or post-fact-finding motions, and appeals. "Conviction" includes a dismissal entered after a period of probation, suspension, or deferral of sentence, and also includes equivalent dispositions by courts in jurisdictions other than Washington state.

(7) "Crime of violence" means:

(a) Any of the following felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, kidnapping in the second degree, arson in the second degree, assault in the second degree, assault of a child in the second degree, extortion in the first degree, burglary in the second degree, residential burglary, and robbery in the second degree;

(b) Any conviction for a felony offense in effect at any time prior to June 6, 1996, which is comparable to a felony classified as a crime of violence in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense comparable to a felony classified as a crime of violence under (a) or (b) of this subsection.

(8) "Curio or relic" has the same meaning as provided in 27 C.F.R. Sec. 478.11.

(9) "Dealer" means a person who or business that has engaged in the ((~~business of selling~~)) wholesale or retail sale of firearms ((~~at wholesale or retail~~)), frames, or receivers, or who has, or is required to have, a federal firearms license under 18 U.S.C. Sec. 923(a). ((~~A person who does not have, and is not required to have, a federal firearms license under 18 U.S.C. Sec. 923(a), is not a dealer if that person makes only occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or sells all or part of his or her personal collection of firearms.~~)) For the purposes of this section, a dealer does not include persons who or businesses that have sold 10 or fewer firearms, frames, or receivers, either finished or unfinished, in a 12-month period.

(10) "Detachable magazine" means an ammunition feeding device that can be loaded or unloaded while detached from a firearm and readily inserted into a firearm.

(11) "Distribute" means to give out, provide, make available, or deliver a firearm or large capacity magazine to any person in this state, with or without consideration, whether the distributor is in-state or out-of-state. "Distribute" includes, but is not limited to, filling orders placed in this state, online or otherwise. "Distribute" also includes causing a firearm or large capacity magazine to be delivered in this state.

(12) "Domestic violence" has the same meaning as provided in RCW 10.99.020.

(13) "Family or household member" has the same meaning as in RCW 7.105.010.

(14) "Federal firearms dealer" means a licensed dealer as defined in 18 U.S.C. Sec. 921(a)(11).

(15) "Federal firearms importer" means a licensed importer as defined in 18 U.S.C. Sec. 921(a)(9).

(16) "Federal firearms manufacturer" means a licensed manufacturer as defined in 18 U.S.C. Sec. 921(a)(10).

(17) "Felony" means any felony offense under the laws of this state or any federal or out-of-state offense comparable to a felony offense under the laws of this state.

(18) "Felony firearm offender" means a person who has previously been convicted or found not guilty by reason of insanity in this state of any felony firearm offense. A person is not a felony firearm offender under this chapter if any and all qualifying offenses have been the subject of an expungement, pardon, annulment, certificate, or rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or a pardon, annulment, or other equivalent procedure based on a finding of innocence.

(19) "Felony firearm offense" means:

(a) Any felony offense that is a violation of this chapter;

(b) A violation of RCW 9A.36.045;

(c) A violation of RCW 9A.56.300;

(d) A violation of RCW 9A.56.310;

(e) Any felony offense if the offender was armed with a firearm in the commission of the offense.

(20) "Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. For the purposes of RCW 9.41.040, "firearm" also includes frames and receivers. "Firearm" does not include a flare gun or other pyrotechnic visual distress signaling device, or a powder-actuated tool or other device designed solely to be used for construction purposes.

(21)(a) "Frame or receiver" means a part of a firearm that, when the complete firearm is assembled, is visible from the exterior and provides housing or a structure designed to hold or integrate one or more fire control components, even if pins or other attachments are required to connect the fire control components. Any such part identified with a serial number shall be presumed, absent an official determination by the bureau of alcohol, tobacco, firearms, and explosives or other reliable evidence to the contrary, to be a frame or receiver.

(b) For purposes of this subsection, "fire control component" means a component necessary for the firearm to initiate, complete, or continue the firing sequence, including any of the following: Hammer, bolt, bolt carrier, breechblock, cylinder, trigger mechanism, firing pin, striker, or slide rails.

(22) "Gun" has the same meaning as firearm.

(23) "Import" means to move, transport, or receive an item from a place outside the territorial limits of the state of Washington to a place inside the territorial limits of the state of Washington. "Import" does not mean situations where an individual possesses a large capacity magazine or assault weapon when departing from, and returning to, Washington state, so long as the individual is returning to Washington in possession of the same large capacity magazine or assault weapon the individual transported out of state.

(24) "Intimate partner" has the same meaning as provided in RCW 7.105.010.

(25) "Large capacity magazine" means an ammunition feeding device with the capacity to accept more than 10 rounds of ammunition, or any conversion kit, part, or combination of parts, from which such a device can be assembled if those parts are in possession of or under the control of the same person, but shall not be construed to include any of the following:

(a) An ammunition feeding device that has been permanently altered so that it cannot accommodate more than 10 rounds of ammunition;

(b) A 22 caliber tube ammunition feeding device; or

(c) A tubular magazine that is contained in a lever-action firearm.

(26) "Law enforcement officer" includes a general authority Washington peace officer as defined in RCW 10.93.020, or a specially commissioned Washington peace officer as defined in RCW 10.93.020. "Law enforcement officer" also includes a limited authority Washington peace officer as defined in RCW 10.93.020 if such officer is duly authorized by his or her employer to carry a concealed pistol.

(27) "Lawful permanent resident" has the same meaning afforded a person "lawfully admitted for permanent residence" in 8 U.S.C. Sec. 1101(a)(20).

(28) "Licensed collector" means a person who is federally licensed under 18 U.S.C. Sec. 923(b).

(29) "Licensed dealer" means a person who is federally licensed under 18 U.S.C. Sec. 923(a).

(30) "Loaded" means:

(a) There is a cartridge in the chamber of the firearm;

(b) Cartridges are in a clip that is locked in place in the firearm;

(c) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver;

(d) There is a cartridge in the tube or magazine that is inserted in the action; or

(e) There is a ball in the barrel and the firearm is capped or primed if the firearm is a muzzle loader.

(31) "Machine gun" means any firearm known as a machine gun, mechanical rifle, submachine gun, or any other mechanism or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip, disc, drum, belt, or other separable mechanical device for storing, carrying, or supplying ammunition which can be loaded into the firearm, mechanism, or instrument, and fired therefrom at the rate of five or more shots per second.

(32) "Manufacture" means, with respect to a firearm or large capacity magazine, the fabrication, making, formation, production, or construction of a firearm or large capacity magazine, by manual labor or by machinery.

(33) "Mental health professional" means a psychiatrist, psychologist, or physician assistant working with a psychiatrist who is acting as a participating physician as defined in RCW 18.71A.010, psychiatric advanced registered nurse practitioner, psychiatric nurse, social worker, mental health counselor, marriage and family therapist, or such other mental health professionals as may be defined in statute or by rules adopted by the department of health pursuant to the provisions of chapter 71.05 RCW.

(34) "Nonimmigrant alien" means a person defined as such in 8 U.S.C. Sec. 1101(a)(15).

(35) "Person" means any individual, corporation, company, association, firm, partnership, club, organization, society, joint stock company, or other legal entity.

(36) "Pistol" means any firearm with a barrel less than 16 inches in length, or is designed to be held and fired by the use of a single hand.

(37) "Rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

(38) "Sale" and "sell" mean the actual approval of the delivery of a firearm in consideration of payment or promise of payment.

(39) "Secure gun storage" means:

(a) A locked box, gun safe, or other secure locked storage space that is designed to prevent unauthorized use or discharge of a firearm; and

(b) The act of keeping an unloaded firearm stored by such means.

(40) "Semiautomatic" means any firearm which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge.

(41)(a) "Semiautomatic assault rifle" means any rifle which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge.

(b) "Semiautomatic assault rifle" does not include antique firearms, any firearm that has been made permanently inoperable, or any firearm that is manually operated by bolt, pump, lever, or slide action.

(42) "Serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies, as now existing or hereafter amended:

(a) Any crime of violence;

(b) Any felony violation of the uniform controlled substances act, chapter 69.50 RCW, that is classified as a class B felony or that has a maximum term of imprisonment of at least 10 years;

(c) Child molestation in the second degree;

(d) Incest when committed against a child under age 14;

(e) Indecent liberties;

(f) Leading organized crime;

(g) Promoting prostitution in the first degree;

(h) Rape in the third degree;

(i) Drive-by shooting;

(j) Sexual exploitation;

(k) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;

(l) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(m) Any other class B felony offense with a finding of sexual motivation, as "sexual motivation" is defined under RCW 9.94A.030;

(n) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(o) Any felony offense in effect at any time prior to June 6, 1996, that is comparable to a serious offense, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious offense;

(p) Any felony conviction under RCW 9.41.115; or

(q) Any felony charged under RCW 46.61.502(6) or 46.61.504(6).

(43) "Sex offense" has the same meaning as provided in RCW 9.94A.030.

(44) "Short-barreled rifle" means a rifle having one or more barrels less than 16 inches in length and any weapon made from a rifle by any means of modification if such modified weapon has an overall length of less than 26 inches.

(45) "Short-barreled shotgun" means a shotgun having one or more barrels less than 18 inches in length and any weapon made from a shotgun by any means of modification if such modified weapon has an overall length of less than 26 inches.

(46) "Shotgun" means a weapon with one or more barrels, designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

(47) "Substance use disorder professional" means a person certified under chapter 18.205 RCW.

(48) "Transfer" means the intended delivery of a firearm to another person without consideration of payment or promise of payment including, but not limited to, gifts and loans. "Transfer" does not include the delivery of a firearm owned or leased by an entity licensed or qualified to do business in the state of Washington to, or return of such a firearm by, any of that entity's employees or agents, defined to include volunteers participating in an honor guard, for lawful purposes in the ordinary course of business.

(49) "Undetectable firearm" means any firearm that is not as detectable as 3.7 ounces of 17-4 PH stainless steel by walk-through metal detectors or magnetometers commonly used at airports or any firearm where the barrel, the slide or cylinder, or the frame or receiver of the firearm would not generate an image that accurately depicts the shape of the part when examined by the types of X-ray machines commonly used at airports.

(50)(a) "Unfinished frame or receiver" means a frame or receiver that is partially complete, disassembled, or inoperable, that: (i) Has reached a stage in manufacture where it may readily be completed, assembled, converted, or restored to a functional state; or (ii) is marketed or sold to the public to become or be used as the frame or receiver of a functional firearm once finished or completed, including without limitation products marketed or sold to the public as an 80 percent frame or receiver or unfinished frame or receiver.

(b) For purposes of this subsection:

(i) "Readily" means a process that is fairly or reasonably efficient, quick, and easy, but not necessarily the most efficient, speedy, or easy process. Factors relevant in making this determination, with no single one controlling, include the following: (A) Time, i.e., how long it takes to finish the process; (B) ease, i.e., how difficult it is to do so; (C) expertise, i.e., what knowledge and skills are required; (D) equipment, i.e., what tools are required; (E) availability, i.e., whether additional parts are required, and how easily they can be obtained; (F) expense, i.e., how much it costs; (G) scope, i.e., the extent to which the subject of the process must be changed to finish it; and (H) feasibility, i.e., whether the process would damage or destroy the subject of the process, or cause it to malfunction.

(ii) "Partially complete," as it modifies frame or receiver, means a forging, casting, printing, extrusion, machined body, or similar article that has reached a stage in manufacture where it is clearly identifiable as an unfinished component part of a firearm.

(51) "Unlicensed person" means any person who is not a licensed dealer under this chapter.

(52) "Untraceable firearm" means any firearm manufactured after July 1, 2019, that is not an antique firearm and that cannot be traced by law enforcement by means of a serial number affixed to the firearm by a federal firearms manufacturer, federal firearms importer, or federal firearms dealer in compliance with all federal laws and regulations.

(53) "Washington state patrol firearms background check program" means the division within the state patrol that conducts background checks for all firearm transfers and the disposition of firearms.

**Sec.**  RCW 9.41.100 and 1994 sp.s. c 7 s 415 are each amended to read as follows:

Every dealer shall be licensed as provided in RCW 9.41.110 and shall register with the department of revenue as provided in chapters 82.04 and 82.32 RCW. A state license issued pursuant to RCW 9.41.110 is not transferable.

**Sec.**  RCW 9.41.110 and 2024 c 288 s 1 are each amended to read as follows:

(1)(a) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any ((~~pistol~~)) firearm or ammunition without being licensed as provided in this section.

((~~(2) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any firearm other than a pistol without being licensed as provided in this section.~~

~~(3) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any ammunition without being licensed as provided in this section.~~

~~(4) The duly constituted licensing authorities of any city, town, or political subdivision of this state~~))

(b) Until July 1, 2026, a dealer who submits a sufficient application on or before January 1, 2026, may continue to engage in the business of dealing in firearms pursuant to state law until Washington state patrol has acted upon the application.

(2)(a) Washington state patrol shall grant licenses ((~~in forms prescribed by the director of licensing~~)) completed in accordance with (b) of this subsection unless the applicant does not meet the eligibility requirements described in subsection (3) of this section or the applicant has made a false statement on the application. Such a license shall be effective for not more than one year from the date of issue permitting the licensee to sell firearms within this state subject to the following conditions, for breach of any of which the license shall be forfeited and the licensee subject to punishment as provided in this chapter. ((~~A licensing authority shall forward a copy of each license granted to the department of licensing. The department of licensing~~)) Washington state patrol shall notify the department of revenue of the name and address of each dealer licensed under this section. ((~~Any law enforcement agency~~)) Washington state patrol, acting within the scope of its jurisdiction, may investigate a breach of the licensing conditions established in this chapter.

((~~(5)~~)) (b) A person applying for a state license pursuant to this section must complete an application as provided by Washington state patrol rule and pay the application fee established in subsection (15)(h)(i) of this section. A valid license application must include:

(i) A completed application form;

(ii) A copy of the applicant's valid Washington state driver's license or state identification card;

(iii) A copy of the lease or deed for the intended business site;

(iv) The required documents for opening a business in the locality;

(v) The application fee;

(vi) A copy of the insurance required under subsection (14)(a) of this section;

(vii) The completed fingerprinting and background check as described in subsection (3)(b) of this section; and

(viii) Any other materials required by Washington state patrol pursuant to section 4 of this act.

(c) Washington state patrol shall conduct an on-site inspection of 10 percent of state license holders' places of business annually to ensure dealers are complying with the requirements to hold a state license.

(d) In addition to the inspection required under (c) of this subsection, Washington state patrol may conduct reasonable periodic unannounced inspections of a state license holder's place of business during the dealer's regular posted business hours to ensure that the state license holder is complying with the license requirements.

(e) No later than December 1, 2026, and no later than December 1st of each year thereafter, Washington state patrol shall submit a report to the legislature about firearm dealer licensing in the prior state fiscal year. The report shall include, at minimum:

(i) The number of license applications received, granted, and denied;

(ii) The number of inspections conducted;

(iii) The number of warnings issued to dealers for violating the requirements of this act and the basis for the issued warnings;

(iv) The amount of fee money collected and deposited into the firearm licensing account created in section 5 of this act in the fiscal year period; and

(v) The total amounts spent on licensing costs and inspections.

The report may include information about the race, gender, and geographic location of persons who applied for a license, including whether the application was granted or denied, and persons whose licenses were revoked. The report shall be made available to the public no more than 90 days after submission to the legislature.

(3)(a) ((~~A licensing authority~~)) Washington state patrol shall, within 30 days after the filing of an application of any person for a dealer's license, determine whether to grant the license. However, if the applicant does not have a valid permanent Washington driver's license or Washington state identification card, or has not been a resident of the state for the previous consecutive 90 days, ((~~the licensing authority~~)) Washington state patrol shall have up to 60 days to determine whether to issue a license provided that at least one person listed on the dealer's federal firearms license as a responsible person has a valid permanent Washington driver's license, Washington state identification card, or has been a resident of this state for the previous consecutive 90 days.

(b) No person shall qualify for a license under this section without first receiving a federal firearms license and undergoing state and federal fingerprinting and a background check. In addition, no person ineligible to possess a firearm under RCW 9.41.040 or ineligible for a concealed pistol license under RCW 9.41.070 shall qualify for a dealer's license.

((~~(b)~~)) (c) No person shall qualify for a license under this section who has had a permit or license to sell, lease, transfer, purchase, or possess a firearm or ammunition from the federal government, any state, or a subdivision of any state revoked, suspended, or denied for reasons other than filing an incomplete or incorrect application within five years before submitting an application.

(d) A dealer shall require every employee who may sell, handle, or possess a firearm or ammunition in the course of his or her employment to undergo state and federal fingerprinting and a background check in advance of engaging in the sale or transfer of firearms or ammunition and to undergo a state and federal background check annually thereafter. An employee must be at least 21 years of age, eligible to possess a firearm, and must not have been convicted of a crime that would make the person ineligible for a concealed pistol license, before being permitted to sell a firearm. Every employee shall comply with requirements concerning purchase applications and restrictions on delivery of firearms that are applicable to dealers.

((~~(6)~~)) (i) If a dealer knows or suspects that an employee of the dealer is involved in the theft of a firearm from the dealer's business, the dealer shall report the theft within 48 hours after learning of the theft to Washington state patrol and local law enforcement.

(ii) An employee shall not engage in the sale of firearms until the employee complies with the requirements outlined in subsection (17)(a) of this section.

(4)(a) As a condition of licensure, a dealer shall annually certify to ((~~the licensing authority~~)) Washington state patrol, in writing and under penalty of perjury, that the dealer is in compliance with each licensure requirement established in this section. Washington state patrol may not accept a renewal application submitted after the expiration of the dealer's license.

(b) 90 days prior to the expiration of a state license, Washington state patrol shall notify the dealer of the license expiration date.

(c) A dealer who submits a timely and sufficient renewal application may continue to engage in the business of dealing in firearms pursuant to state law until Washington state patrol has acted upon the annual certification. For the purposes of this subsection, an annual certification is sufficient if it includes on its face information necessary to show that the applicant is eligible for state license renewal.

(d) Washington state patrol shall act upon an annual certification made pursuant to this subsection no later than 60 days after the date the application is received.

((~~(7)~~)) (5)(a) Except as otherwise provided in (b) of this subsection, the business shall be carried on only in the building designated in the license and during the dealer's posted business hours. For the purpose of this section, advertising firearms for sale shall not be considered the carrying on of business.

(b) A dealer may conduct business temporarily at a location other than the building designated in the license, if the temporary location is within Washington state and is the location of a gun show sponsored by a national, state, or local organization, or an affiliate of any such organization, devoted to the collection, competitive use, or other sporting use of firearms in the community. Nothing in this subsection ((~~(7)~~)) (5)(b) authorizes a dealer to conduct business in or from a motorized or towed vehicle.

In conducting business temporarily at a location other than the building designated in the license, the dealer shall comply with all other requirements imposed on dealers by RCW 9.41.090, 9.41.100, and this section. The license of a dealer who fails to comply with the requirements of RCW 9.41.080 and 9.41.090 and subsection ((~~(16)~~)) (15) of this section while conducting business at a temporary location shall be revoked, and the dealer shall be permanently ineligible for a dealer's license.

((~~(8)~~)) (6) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises in the area where firearms are sold, or at the temporary location, where it can easily be read.

((~~(9)~~)) (7)(a) The business building location designated in the license shall be secured:

(i) With at least one of the following features designed to prevent unauthorized entry, which must be installed on each exterior door and window of the place of business:

(A) ((~~Bars~~)) Metal bars or grates;

(B) ((~~Security~~)) Metal security screens; or

(C) Commercial grade metal doors; ((~~and~~))

(ii) With a security alarm system that is:

(A) Properly installed and maintained in good condition;

(B) Monitored by a remote central station that can contact law enforcement in the event of an alarm;

(C) Capable of real-time monitoring of all exterior doors and windows, and all areas where firearms are stored; and

(D) Equipped with, at minimum, detectors that can perceive entry, motion, and sound; and

(iii) With interior lighting that is sufficient to identify characteristics of a person on surveillance video or cameras capable of clear capture in low-light conditions.

(b) It is not a violation of this subsection if any security feature or system becomes temporarily inoperable through no fault of the dealer.

((~~(10)~~)) (8)(a) Dealers shall secure each firearm during business hours, except when the firearm is being shown to a customer, repaired, or otherwise worked on, in a manner that prevents a customer or other member of the public from accessing or using the firearm, which may include keeping the firearm in a locked container or in a locked display case.

(b) Other than during business hours, all firearms shall be secured (i) on the dealer's business premises in a locked fireproof safe or vault, (ii) in a room or building that meets all requirements of subsection ((~~(9)~~)) (7)(a) of this section, or (iii) in a secured and locked area under the dealer's control while the dealer is conducting business at a temporary location.

((~~(11)~~)) (9)(a) A dealer shall ensure that its business location designated in the license is monitored by a digital video surveillance system that meets all of the following requirements:

(i) The system shall clearly record images and, for systems located inside the premises, audio, of the area under surveillance;

(ii) Each camera shall be permanently mounted in a fixed location. Cameras shall be placed in locations that allow the camera to clearly record activity occurring in all areas described in (a)(iii) of this subsection and reasonably produce recordings that allow for the clear identification of any person;

(iii) The areas recorded shall include, but are not limited to, all of the following:

(A) Interior views of all exterior doors, windows, and any other entries or exits to the premises;

(B) All areas where firearms are displayed; and

(C) All points of sale, sufficient to identify the parties involved in the transaction;

(iv) The system shall be capable of recording 24 hours per day at a frame rate no less than 15 frames per second, and must either (A) record continuously or (B) be activated by motion and remain active for at least 15 seconds after motion ceases to be detected;

(v) The media or device on which recordings are stored shall be secured in a manner to protect the recording from tampering, unauthorized access or use, or theft;

(vi) Recordings shall be maintained for a minimum of 90 days for all recordings of areas where firearms are displayed and points of sale, and for a minimum of 45 days for all recordings of interior views of exterior doors, windows, and any other entries or exits;

(vii) Recorded images shall clearly and accurately display the date and time;

(viii) The system shall be equipped with a failure notification system that provides notification to the licensee of any interruption or failure of the system or storage device.

(b) A licensed dealer shall not use, share, allow access to, or otherwise release surveillance recordings, to any person except as follows:

(i) A dealer shall allow access to the system or release recordings to any person pursuant to search warrant or other court order.

(ii) A dealer may allow access to the system or release recordings to any person in response to an insurance claim or as part of the civil discovery process including, but not limited to, as needed for an active police investigation, in response to subpoenas, request for production or inspection, or other court order.

(iii) A dealer shall allow access to the system to an agent of the Washington state patrol conducting an inspection of the licensee's premises, for the purpose of inspecting the system for compliance with this section.

(c) The dealer shall post a sign in a conspicuous place at each entrance to the premises that states in block letters not less than one inch in height: "THESE PREMISES ARE UNDER VIDEO AND AUDIO SURVEILLANCE. YOUR IMAGE AND CONVERSATIONS MAY BE RECORDED."

(d) This section does not preclude any local authority or local governing body from adopting or enforcing local laws or policies regarding video surveillance that do not contradict or conflict with the requirements of this section.

(e) It is not a violation of this subsection if the surveillance system becomes temporarily inoperable through no fault of the dealer.

((~~(12)~~)) (10) A dealer shall:

(a) Promptly review and respond to all requests from law enforcement agencies and officers, including trace requests and requests for documents and records, as soon as practicably possible and no later than 24 hours after learning of the request;

(b) Promptly notify local law enforcement agencies, Washington state patrol, and the bureau of alcohol, tobacco, firearms and explosives of any loss, theft, or unlawful transfer of any firearm or ammunition as soon as practicably possible and no later than 24 hours after the dealer knows or should know of the reportable event.

((~~(13)~~)) (11) A dealer shall:

(a) Establish and maintain a book, or if the dealer should choose, an electronic-based record of purchase, sale, inventory, and other records at the dealer's place of business and shall make all such records available to law enforcement upon request. Such records shall at a minimum include the make, model, caliber or gauge, manufacturer's name, and serial number of all firearms that are acquired or disposed of not later than one business day after their acquisition or disposition;

(b) Maintain monthly backups of the records required by (a) of this subsection in a secure container designed to prevent loss by fire, theft, or flood. If the dealer chooses to maintain an electronic-based record system, those records shall be backed up on an external server or over the internet at the close of each business day;

(c) Account for all firearms acquired but not yet disposed of through an inventory check prepared each month and maintained in a secure location;

(d) Maintain and make available at any time to government law enforcement agencies and to the manufacturer of the weapon or its designee, firearm disposition information, including the serial numbers of firearms sold, dates of sale, and identity of purchasers;

(e) Retain all bureau of alcohol, tobacco, firearms and explosives form 4473 transaction records on the dealer's business premises in a secure container designed to prevent loss by fire, theft, or flood;

(f) Maintain for six years copies of trace requests received, including notations for trace requests received by phone for six years;

(g) Provide annual reporting to the Washington state attorney general concerning trace requests, including at a minimum the following:

(i) The total number of trace requests received;

(ii) For each trace, the make and model of the gun and date of sale; and

(iii) Whether the dealer was inspected by the bureau of alcohol, tobacco, firearms and explosives, and copies of any reports of violations or letters received from the bureau of alcohol, tobacco, firearms and explosives.

((~~(14)~~)) (12) On or before January 15, 2026, and every year thereafter, the attorney general shall publish an annual report available to the public outlining the information provided pursuant to subsection (11) of this section.

(13) The attorney general may create, publish, and require firearm dealers to file a uniform form for all annual dealer reports required by subsection ((~~(13)~~)) (11)(g) of this section.

((~~(15)~~)) (14)(a) A dealer shall carry a general liability insurance policy providing at least $1,000,000 of coverage per incident.

((~~(16)~~)) (b) This section does not preclude any local authority from requiring a more stringent requirement regarding the maintenance of liability insurance.

(15)(a) No firearm may be sold((~~: (i) In~~)) in violation of any provisions of this chapter((~~; nor (ii) under any circumstances unless the purchaser is personally known to the dealer or shall present clear evidence of his or her identity~~)).

(b) A dealer who sells or delivers any firearm in violation of RCW 9.41.080 or 9.41.090 is guilty of a class C felony. In addition to any other penalty provided for by law, the dealer is subject to mandatory permanent revocation of his or her dealer's license and permanent ineligibility for a dealer's license.

(c) ((~~The license fee for pistols shall be one hundred twenty-five dollars. The license fee for firearms other than pistols shall be one hundred twenty-five dollars. The license fee for ammunition shall be one hundred twenty-five dollars. Any dealer who obtains any license under subsection (1), (2), or (3) of this section may also obtain the remaining licenses without payment of any fee. The fees received under this section shall be deposited in the state general fund.~~

~~(17)~~)) Washington state patrol shall revoke a state license if the state license holder:

(i) No longer holds a valid federal firearms license;

(ii) Knowingly employs a person in violation of subsection (3)(d) of this section;

(iii) Is or becomes prohibited from possessing or purchasing firearms under state or federal law; or

(iv) Is convicted of any of the following:

(A) Any felony under state or federal law;

(B) Any state or federal law that results in the license holder being prohibited from purchasing or possessing a firearm or ammunition; or

(C) Trafficking in firearms pursuant to 18 U.S.C. Sec. 933 or aiding and abetting trafficking in firearms.

(d) Except as provided in subsection (5)(b) of this section and (b) and (c) of this subsection, if Washington state patrol finds that a dealer failed to comply with any of the provisions of this act, or any other state or federal law for which the penalty includes potential revocation of the dealer's federal firearms license, the department may:

(i) For a first offense, issue a warning or imposed fines and issues a warning to the dealer that includes a description of the offense and the penalty for subsequent offenses; and

(ii) For a second or subsequent offense, issue fines or warnings as contemplated in (d)(i) of this subsection or suspend or revoke the dealer's state license.

(e)(i) A dealer whose state license is revoked solely because the person no longer holds a valid federal firearms license, pursuant to (c)(i) of this subsection, may apply for a new state license any time after the person obtains a valid federal firearms license.

(ii) A dealer whose state license is revoked pursuant to (c)(i) or (ii) of this subsection may apply for a new license no sooner than five years after the revocation.

(f) Washington state patrol may revoke a state license if the state license holder:

(i) Unreasonably refuses to allow Washington state patrol to conduct an on-site inspection pursuant to subsection (2)(c) and (d) of this section; or

(ii) Unreasonably refuses to permit Washington state patrol to inspect a record as required by subsection (10)(a) of this section.

(g) The denial or revocation of a state license pursuant to this section is subject to the requirements and procedures set forth in the Washington administrative procedure act, chapter 34.05 RCW.

(h)(i) The initial license fee shall be $500.

(ii) The license renewal fees shall depend on the number of sales, based upon an average of the prior three years, or if the dealer has not been in business for three years, based upon the average over the time the dealer has been in business as follows:

(A) One to 50 firearms per year, $125;

(B) 51 to 250 firearms per year, $250;

(C) 251 to 750 firearms per year, $500;

(D) 751 to 1,000 firearms per year, $1,000; and

(E) Over 1,000 firearms per year, $1,500.

(iii) Washington state patrol shall annually review the initial license fee and license renewal fee and may adjust those fees based on the costs for administering this section. Washington state patrol shall not adjust fees more than once each year and shall not adjust fees by more than 20 percent each year.

(iv) Washington state patrol may establish a reduced fee for state licenses renewal applications.

(v) The fees received under this section shall be deposited in the firearm licensing account created in section 5 of this act.

(16)(a) A true record shall be made of every pistol or semiautomatic assault rifle sold, in a book kept for the purpose, the form of which may be prescribed by the director of licensing and shall be personally signed by the purchaser and by the person effecting the sale, each in the presence of the other, and shall contain the date of sale, the caliber, make, model and manufacturer's number of the weapon, the name, address, occupation, and place of birth of the purchaser, and a statement signed by the purchaser that he or she is not ineligible under state or federal law to possess a firearm. The dealer shall retain the transfer record for six years.

(b) The dealer shall transmit the information from the firearm transfer application through secure automated firearms e-check (SAFE) to the Washington state patrol firearms background check program. The Washington state patrol firearms background check program shall transmit the application information for pistol and semiautomatic assault rifle transfer applications to the director of licensing daily. The original application shall be retained by the dealer for six years.

(17)(a) Washington state patrol shall develop training or approve training courses provided by other entities for state license holders and their employees. The training must be available in an online format and include an examination with at least 20 questions derived from the course material and intended to confirm that a course participant understands the information covered in the course. Washington state patrol or other trainer conducting the training, shall give a participant who answers at least 70 percent of the examination questions correctly a printable certificate of completion that is valid for one year after the date of completion. The training must include instruction regarding the following:

(i) State and federal laws governing the sale and transfer of firearms and ammunition;

(ii) Recognizing and identifying straw purchasers, trafficking, and fraudulent activity;

(iii) Indicators that a person is attempting to purchase a firearm illegally;

(iv) Recognizing and identifying indicators that an individual intends to use a firearm for unlawful purposes;

(v) Recognizing and identifying indicators that an individual intends to use a firearm for self-harm;

(vi) Preventing theft or burglary of firearms and ammunition;

(vii) Responding to circumstances described in (a)(i) through (vi) of this subsection, and any applicable reporting requirements;

(viii) Effectively teaching consumers rules of firearm safety, including the safe handling and storage of firearms; and

(ix) Any other reasonable business practices Washington state patrol determines will deter firearm trafficking or the unlawful use of firearms.

(b) A dealer shall, within 30 days of the effective date of this section and annually thereafter, complete a training course developed or approved by Washington state patrol pursuant to this subsection.

(c) An employee, volunteer, or contractor of a state license holder who, in the course of the employee's, volunteer's, or contractor's duties, handles a firearm or ammunition or processes the sale, loan, or transfer of firearms or ammunition shall, within 30 days after the employee's, volunteer's, or contractor's first day of work for the state license holder and annually thereafter, complete a training course approved by Washington state patrol pursuant to this subsection. An employee, volunteer, or contractor of a state license holder on the effective date of this section shall complete the training course no later than 30 days after the effective date of this section unless granted an extension by Washington state patrol.

(d) A state license holder shall maintain the training records of each employee, volunteer, or contractor and shall make the records available to Washington state patrol during an on-site inspection of the state license holder's place of business.

(18) Subsections (2) through ((~~(17)~~)) (15)(a) of this section shall not apply to sales at wholesale.

(19) Subsections ((~~(6)~~)) (4)(a) and ((~~(9)~~)) (7) through ((~~(15)~~)) (14)(a) of this section shall not apply to dealers with a sales volume of $1,000 or less per month on average over the preceding 12 months. A dealer that previously operated under this threshold and subsequently exceeds it must comply with the requirements of subsections ((~~(6)~~)) (4)(a) and ((~~(9)~~)) (7) through ((~~(15)~~)) (14)(a) of this section within one year of exceeding the threshold.

(20) The dealer's licenses authorized to be issued by this section are general licenses covering all sales by the licensee within the effective period of the licenses. The department shall provide a single application form for dealer's licenses and a single license form which shall indicate the type or types of licenses granted.

(21) Except as otherwise provided in this chapter, every city, town, and political subdivision of this state is prohibited from requiring the purchaser to secure a permit to purchase or from requiring the dealer to secure an individual permit for each sale.

NEW SECTION. **Sec.**  A new section is added to chapter 9.41 RCW to read as follows:

Washington state patrol shall have the authority to adopt rules for the implementation of requirements set forth in RCW 9.41.110. Washington state patrol shall not promulgate rules that alter the eligibility criteria for obtaining a license but may collect any information it deems necessary to verify an applicant's eligibility. In addition, Washington state patrol shall report any violation of RCW 9.41.110 by a licensed dealer to the bureau of alcohol, tobacco, firearms, and explosives within the United States department of justice and shall have the authority, after notice and a hearing, to revoke the license of any licensed dealer found to be in violation of this chapter.

NEW SECTION. **Sec.**  A new section is added to chapter 9.41 RCW to read as follows:

The firearm licensing account is created in the state treasury. All receipts from the imposition of firearm licensing fees under this chapter must be deposited into the account. Moneys in the account may be spent only after appropriation. Moneys in the account may only be used for the purposes of implementing requirements set forth in RCW 9.41.110. Moneys may not be used to supplant general fund appropriations to either agency.

**--- END ---**