

State Laws and Published Ordinances – Washington

Statutes current through 2022 Regular Session.

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Table of Contents

Title 9 – Crimes and Punishments

Chapter 9.41 – Firearms and Dangerous Weapons

- Section 9.41.010. Terms defined.
- Section 9.41.040. Unlawful possession of firearms – Ownership, possession by certain persons – Restoration of right to possess – Penalties.
- Section 9.41.042. Children – Permissible firearm possession.
- Section 9.41.045. Possession by offenders.
- Section 9.41.047. Restoration of possession rights (as amended by 2019 c 248).
- Section 9.41.049. Persons who present likelihood of serious harm — Possession rights.
- Section 9.41.080. Delivery to ineligible persons.
- Section 9.41.090. Dealer deliveries regulated – Hold on delivery.
- Section 9.41.092. Licensed dealer deliveries – Background checks.
- Section 9.41.100. Dealer licensing and registration required.
- Section 9.41.110. Dealer's licenses, by whom granted, conditions, fees – Employees, fingerprinting and background checks – Wholesale sales excepted – Permits prohibited.
- Section 9.41.111. Firearm frames or receivers – Background check – Penalty
- Section 9.41.113. Firearm sales or transfers – Background checks – Requirements – Exceptions.
- Section 9.41.1135. Firearms sales or transfers — Use of state firearms background check system.
- Section 9.41.122. Out-of-state purchasing.
- Section 9.41.124. Purchasing of rifles and shotguns by nonresidents.
- Section 9.41.140. Alteration of identifying marks – Exceptions.
- Section 9.41.171. Alien possession of firearms – Requirements – Penalty.
- Section 9.41.173. Alien possession of firearms – Alien firearm license – Political subdivisions may not modify requirements – Penalty for false statement.
- Section 9.41.175. Alien possession of firearms – Possession without license – Conditions.
- Section 9.41.190. Unlawful firearms – Exceptions.
- Section 9.41.220. Unlawful firearms and parts contraband.
- Section 9.41.240. Possession of pistol by person from eighteen to twenty-one.
- Section 9.41.280. Possessing dangerous weapons on school facilities – Penalty – Exceptions.
- Section 9.41.282. Possessing dangerous weapons on child care premises — Penalty — Exceptions.
- Section 9.41.284. Possessing dangerous weapons at voting facilities — Penalty — Exceptions.
- Section 9.41.290. State preemption.
- Section 9.41.300. Weapons prohibited in certain places – Local laws and ordinances – Exceptions – Penalty.
- Section 9.41.305. Open carry of weapons prohibited on state capitol grounds and municipal buildings.
- Section 9.41.325. Undetectable or untraceable firearms — Penalties.
- Section 9.41.326. Untraceable firearms — Exceptions — Penalties.
- Section 9.41.327. Unfinished frames or receivers — Exceptions — Penalties.
- Section 9.41.328. Imprinting a firearm or unfinished frame or receiver.
- Section 9.41.360. Unsafe storage of a firearm.
- Section 9.41.365. Firearm security and storage — Requirements for dealers.
- Section 9.41.800. Surrender of weapons or licenses – Prohibition on future possession or licensing.
- Section 9.41.801. Surrender of weapons or licenses – Ensuring compliance.

Title 9A Washington Criminal Code

Chapter 9A.56 Theft and Robbery

- Section 9A.56.300. Theft of a firearm.
- Section 9A.56.310. Possessing a stolen firearm.

Title 71 – Mental Illness
Chapter 71.05 Mental Illness

Section 71.05.182. Six-month suspension of right to possess firearms after detention for evaluation and treatment of person who presents likelihood of serious harm as a result of behavioral health disorder, substance use disorder, or both — Automatic restoration of right at expiration of six-month period.

Airway Heights	Everett	Shoreline
Beaux Arts Village	Enumclaw	Spokane
Bellingham	Ilwaco	Squaxin Island Tribe
Blaine	Kenmore	Sumas
Bonney Lake	Kennewick	Sumner
Buckley	Lacey	Thurston County
Camas	Langley	Washougal
Cheney	Longview	Westport
Concrete	Lynnwood	Whitman
Connell	Newcastle	Woodland
Coupeville	Normandy Park	Yacolt
Des Moines	Olympia	Yakima
Edmonds	Pierce County	Yakima County
Entiat	Raymond	Yelm
Ephrata	Seattle	

Title 9 – Crimes and Punishments
Chapter 9.41 – Firearms and Dangerous Weapons

Section 9.41.010. Terms defined.

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) "Assemble" means to fit together component parts.

(3) "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.

(4) "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.

(5) "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.

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

(7) "Dealer" means a person engaged in the business of selling firearms at wholesale or retail 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.

(8) "Family or household member" means "family" or "household member" as used in RCW 10.99.020.

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

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

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

(12) "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.

(13) "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.

(14) "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.

(15) "**Firearm**" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. "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.

(16)

(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.

(17) "**Gun**" has the same meaning as firearm.

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

(19) "**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.

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

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

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

(23) "**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.

(24) "**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 5 or more shots per second.

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

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

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

(28) "**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.

(29) "**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.

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

(31) "**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.

(32)

(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.

(33) "**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; or

(p) Any felony conviction under RCW 9.41.115.

(34) "**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.

(35) "**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.

(36) "**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.

(37) "**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.

(38) "**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.

(39)

(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.

(40) “Unlicensed person” means any person who is not a licensed dealer under this chapter.

(41) “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.

Section 9.41.040. Unlawful possession of firearms – Ownership, possession by certain persons – Restoration of right to possess – Penalties.

(1)

(a) A person, whether an adult or juvenile, is guilty of the crime of unlawful possession of a firearm in the first degree, if the person owns, has in his or her possession, or has in his or her control any firearm after having previously been convicted or found not guilty by reason of insanity in this state or elsewhere of any serious offense as defined in this chapter.

(b) Unlawful possession of a firearm in the first degree is a class B felony punishable according to chapter 9A.20 RCW.

(2)

(a) A person, whether an adult or juvenile, is guilty of the crime of unlawful possession of a firearm in the second degree, if the person does not qualify under subsection (1) of this section for the crime of unlawful possession of a firearm in the first degree and the person owns, has in his or her possession, or has in his or her control any firearm:

(i) After having previously been convicted or found not guilty by reason of insanity in this state or elsewhere of any felony not specifically listed as prohibiting firearm possession under subsection (1) of this section, or any of the following crimes when committed by one family or household member against another, committed on or after July 1, 1993: Assault in the fourth degree, coercion, stalking, reckless endangerment, criminal trespass in the first degree, or violation of the provisions of a protection order or no-contact order restraining the person or excluding the person from a residence (RCW 10.99.040 or any of the former RCW 26.50.060, 26.50.070, and 26.50.130);

(ii) After having previously been convicted or found not guilty by reason of insanity in this state or elsewhere of harassment when committed by one family or household member against another, committed on or after June 7, 2018;

(iii) After having previously been convicted or found not guilty by reason of insanity in this state or elsewhere of a violation of the provisions of a protection order under chapter 7.105 RCW restraining the person or excluding the person from a residence, when committed by one family or household member against another or by one intimate partner against another, committed on or after July 1, 2022;

(iv) During any period of time that the person is subject to a court order issued under chapter 7.105, 9A.46, 10.99, 26.09, 26.26A, or 26.26B RCW or any of the former chapters 7.90, 7.92, 10.14, and 26.50 RCW that:

(A) Was issued after a hearing for which the person received actual notice, and at which the person had an opportunity to participate, whether the court then issues a full order or reissues a temporary order. If

the court enters an agreed order by the parties without a hearing, such an order meets the requirements of this subsection;

(B) Restrains the person from harassing, stalking, or threatening the person protected under the order or child of the person or protected person, or engaging in other conduct that would place the protected person in reasonable fear of bodily injury to the protected person or child; and

(C)(I) Includes a finding that the person represents a credible threat to the physical safety of the protected person or child or by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against the protected person or child that would reasonably be expected to cause bodily injury; or

(II) Includes an order under RCW 9.41.800 requiring the person to surrender all firearms and prohibiting the person from accessing, having in his or her custody or control, possessing, purchasing, receiving, or attempting to purchase or receive, firearms;

(v) After having previously been involuntarily committed based on a mental disorder under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, chapter 10.77 RCW, or equivalent statutes of another jurisdiction, unless his or her right to possess a firearm has been restored as provided in RCW 9.41.047;

(vi) After dismissal of criminal charges based on incompetency to stand trial under RCW 10.77.088 when the court has made a finding indicating that the defendant has a history of one or more violent acts, unless his or her right to possess a firearm has been restored as provided in RCW 9.41.047;

(vii) If the person is under 18 years of age, except as provided in RCW 9.41.042; and/or

(viii) If the person is free on bond or personal recognizance pending trial, appeal, or sentencing for a serious offense as defined in RCW 9.41.010.

(b) Unlawful possession of a firearm in the second degree is a class C felony punishable according to chapter 9A.20 RCW.

(3) Notwithstanding RCW 9.41.047 or any other provisions of law, as used in this chapter, a person has been “convicted”, whether in an adult court or adjudicated in a juvenile court, at such time as a plea of guilty has been accepted, or a verdict of guilty has been filed, notwithstanding the pendency of any future proceedings including but not limited to sentencing or disposition, post-trial 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. A person shall not be precluded from possession of a firearm if the conviction has been the subject of a pardon, annulment, certificate of rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or the conviction or disposition has been the subject of a pardon, annulment, or other equivalent procedure based on a finding of innocence. Where no record of the court’s disposition of the charges can be found, there shall be a rebuttable presumption that the person was not convicted of the charge.

(4)

(a) Notwithstanding subsection (1) or (2) of this section, a person convicted or found not guilty by reason of insanity of an offense prohibiting the possession of a firearm under this section other than murder, manslaughter, robbery, rape, indecent liberties, arson, assault, kidnapping, extortion, burglary, or violations with respect to controlled substances under RCW 69.50.401 and 69.50.410, who received a probationary sentence under RCW 9.95.200, and who received a dismissal of the charge under RCW 9.95.240, shall not be precluded from possession of a firearm as a result of the conviction or finding of not guilty by reason of insanity. Notwithstanding any other provisions of this section, if a person is prohibited from possession of a firearm under subsection (1) or (2) of this section and has not previously been convicted or found not guilty by reason of insanity of a sex offense prohibiting firearm ownership under subsection (1) or (2) of this section and/or any felony defined under any law as a class A felony or with a maximum sentence of at least 20 years, or both, the individual may petition a court of record to have his or her right to possess a firearm restored:

(i) Under RCW 9.41.047; and/or

(ii)

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

(B) If the conviction or finding of not guilty by reason of insanity was for a nonfelony offense, after three or more consecutive years in the community without being convicted or found not guilty by reason of insanity or currently charged with any felony, gross misdemeanor, or misdemeanor crimes, if the individual has no prior

felony convictions that prohibit the possession of a firearm counted as part of the offender score under RCW 9.94A.525 and the individual has completed all conditions of the sentence.

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

- (i) The court of record that ordered the petitioner's prohibition on possession of a firearm; or
- (ii) The superior court in the county in which the petitioner resides.

(5) In addition to any other penalty provided for by law, if a person under the age of 18 years is found by a court to have possessed a firearm in a vehicle in violation of subsection (1) or (2) of this section or to have committed an offense while armed with a firearm during which offense a motor vehicle served an integral function, the court shall notify the department of licensing within 24 hours and the person's privilege to drive shall be revoked under RCW 46.20.265, unless the offense is the juvenile's first offense in violation of this section and has not committed an offense while armed with a firearm, an unlawful possession of a firearm offense, or an offense in violation of chapter 66.44, 69.52, 69.41, or 69.50 RCW.

(6) Nothing in chapter 129, Laws of 1995 shall ever be construed or interpreted as preventing an offender from being charged and subsequently convicted for the separate felony crimes of theft of a firearm or possession of a stolen firearm, or both, in addition to being charged and subsequently convicted under this section for unlawful possession of a firearm in the first or second degree. Notwithstanding any other law, if the offender is convicted under this section for unlawful possession of a firearm in the first or second degree and for the felony crimes of theft of a firearm or possession of a stolen firearm, or both, then the offender shall serve consecutive sentences for each of the felony crimes of conviction listed in this subsection.

(7) Each firearm unlawfully possessed under this section shall be a separate offense.

Section 9.41.042. Children – Permissible firearm possession.

RCW 9.41.040(2)(a)(vii) shall not apply to any person under the age of eighteen years who is:

- (1) In attendance at a hunter's safety course or a firearms safety course;
- (2) Engaging in practice in the use of a firearm or target shooting at an established range authorized by the governing body of the jurisdiction in which such range is located or any other area where the discharge of a firearm is not prohibited;
- (3) Engaging in an organized competition involving the use of a firearm, or participating in or practicing for a performance by an organized group that uses firearms as a part of the performance;
- (4) Hunting or trapping under a valid license issued to the person under Title 77 RCW;
- (5) In an area where the discharge of a firearm is permitted, is not trespassing, and the person either: (a) Is at least fourteen years of age, has been issued a hunter safety certificate, and is using a lawful firearm other than a pistol; or (b) is under the supervision of a parent, guardian, or other adult approved for the purpose by the parent or guardian;
- (6) Traveling with any unloaded firearm in the person's possession to or from any activity described in subsection (1), (2), (3), (4), or (5) of this section;
- (7) On real property under the control of his or her parent, other relative, or legal guardian and who has the permission of the parent or legal guardian to possess a firearm;
- (8) At his or her residence and who, with the permission of his or her parent or legal guardian, possesses a firearm for the purpose of exercising the rights specified in RCW 9A.16.020(3); or
- (9) Is a member of the armed forces of the United States, national guard, or organized reserves, when on duty.

Section 9.41.045. Offenders under supervision of the department — Possession prohibited — Penalties.

As a sentence condition and requirement, offenders under the supervision of the department of corrections pursuant to chapter 9.94A RCW shall not own, use, or possess firearms or ammunition. In addition to any penalty imposed pursuant to RCW 9.41.040 when applicable, offenders found to be in actual or constructive possession of firearms or ammunition shall be subject to the appropriate violation process and sanctions as provided for in RCW 9.94A.633, 9.94A.716, or 9.94A.737. Firearms or ammunition owned, used, or possessed by offenders may be confiscated by community corrections officers and turned over to the Washington state patrol for disposal as provided in RCW 9.41.098.

Section 9.41.047. Persons found not guilty by reason of insanity and others — Possession rights.

(1)

- (a) At the time a person is convicted or found not guilty by reason of insanity of an offense making the person ineligible to possess a firearm, or at the time a person is committed by court order under RCW 71.05.240, *71.05.320,

71.34.740, 71.34.750, or chapter 10.77 RCW for mental health treatment, or at the time that charges are dismissed based on incompetency to stand trial under RCW 10.77.088 and the court makes a finding that the person has a history of one or more violent acts, the convicting or committing court, or court that dismisses charges, shall notify the person, orally and in writing, that the person must immediately surrender any concealed pistol license and that the person may not possess a firearm unless his or her right to do so is restored by a court of record. For purposes of this section a convicting court includes a court in which a person has been found not guilty by reason of insanity.

(b) The court shall forward within three judicial days after conviction, entry of the commitment order, or dismissal of charges, a copy of the person's driver's license or identicard, or comparable information, along with the date of conviction or commitment, or date charges are dismissed, to the department of licensing. When a person is committed by court order under RCW 71.05.240, *71.05.320, 71.34.740, 71.34.750, or chapter 10.77 RCW, for mental health treatment, or when a person's charges are dismissed based on incompetency to stand trial under RCW 10.77.088 and the court makes a finding that the person has a history of one or more violent acts, the court also shall forward, within three judicial days after entry of the commitment order, or dismissal of charges, a copy of the person's driver's license, or comparable information, along with the date of commitment or date charges are dismissed, to the national instant criminal background check system index, denied persons file, created by the federal Brady handgun violence prevention act (P.L. 103-159). The petitioning party shall provide the court with the information required. If more than one commitment order is entered under one cause number, only one notification to the department of licensing and the national instant criminal background check system is required.

(2) Upon receipt of the information provided for by subsection (1) of this section, the department of licensing shall determine if the convicted or committed person, or the person whose charges are dismissed based on incompetency to stand trial, has a concealed pistol license. If the person does have a concealed pistol license, the department of licensing shall immediately notify the license-issuing authority which, upon receipt of such notification, shall immediately revoke the license.

(3)

(a) A person who is prohibited from possessing a firearm, by reason of having been involuntarily committed for mental health treatment under RCW 71.05.240, *71.05.320, 71.34.740, 71.34.750, chapter 10.77 RCW, or equivalent statutes of another jurisdiction, or by reason of having been detained under RCW 71.05.150 or 71.05.153 or because the person's charges were dismissed based on incompetency to stand trial under RCW 10.77.088 and the court made a finding that the person has a history of one or more violent acts, may, upon discharge, petition the superior court to have his or her right to possess a firearm restored.

(b) The petition must be brought in the superior court that ordered the involuntary commitment or dismissed the charges based on incompetency to stand trial or the superior court of the county in which the petitioner resides.

(c) Except as provided in (d) and (e) of this subsection, the court shall restore the petitioner's right to possess a firearm if the petitioner proves by a preponderance of the evidence that:

(i) The petitioner is no longer required to participate in court-ordered inpatient or outpatient treatment;

(ii) The petitioner has successfully managed the condition related to the commitment or detention or incompetency;

(iii) The petitioner no longer presents a substantial danger to himself or herself, or the public; and

(iv) The symptoms related to the commitment or detention or incompetency are not reasonably likely to recur.

(d) If a preponderance of the evidence in the record supports a finding that the person petitioning the court has engaged in violence and that it is more likely than not that the person will engage in violence after his or her right to possess a firearm is restored, the person shall bear the burden of proving by clear, cogent, and convincing evidence that he or she does not present a substantial danger to the safety of others.

(e) If the petitioner seeks restoration after having been detained under [RCW 71.05.150](#) or [71.05.153](#), the state shall bear the burden of proof to show, by a preponderance of the evidence, that the petitioner does not meet the restoration criteria in (c) of this subsection.

(f) When a person's right to possess a firearm has been restored under this subsection, the court shall forward, within three judicial days after entry of the restoration order, notification that the person's right to possess a firearm has been restored to the department of licensing with a copy of the person's driver's license or identicard, or comparable identification such as their name, address, and date of birth, the health care authority, and the national instant criminal background check system index, denied persons file. In the case of a person whose right to possess a firearm has been suspended for six months as provided in RCW 71.05.182, the department of licensing shall forward notification of the restoration order to the licensing authority, which, upon receipt of such notification, shall immediately lift the suspension, restoring the license.

(4) No person who has been found not guilty by reason of insanity may petition a court for restoration of the right to possess a firearm unless the person meets the requirements for the restoration of the right to possess a firearm under RCW 9.41.040(4).

Section 9.41.049. Persons who present likelihood of serious harm — Possession rights.

(1) When a designated crisis responder files a petition for initial detention under RCW 71.05.150 or 71.05.153 on the grounds that the person presents a likelihood of serious harm, the petition shall include a copy of the person's driver's license or identicard or comparable information. If the person is not subsequently committed for involuntary treatment under RCW 71.05.240, the court shall forward within three business days of the probable cause hearing a copy of the person's driver's license or identicard, or comparable information, along with the date of release from the facility, to the department of licensing and to the state patrol, who shall forward the information to the national instant criminal background check system index, denied persons file, created by the federal Brady handgun violence prevention act (P.L. 103-159). Upon expiration of the six-month period during which the person's right to possess a firearm is suspended as provided in RCW 71.05.182, the Washington state patrol shall forward to the national instant criminal background check system index, denied persons file, notice that the person's right to possess a firearm has been restored.

(2) Upon receipt of the information provided for by subsection (1) of this section, the department of licensing shall determine if the detained person has a concealed pistol license. If the person does have a concealed pistol license, the department of licensing shall immediately notify the license-issuing authority, which, upon receipt of such notification, shall immediately suspend the license for a period of six months from the date of the person's release from the facility.

(3) A person who is prohibited from possessing a firearm by reason of having been detained under RCW 71.05.150 or 71.05.153 may, upon discharge, petition the superior court to have his or her right to possess a firearm restored before the six-month suspension period has elapsed by following the procedures provided in RCW 9.41.047(3).

Section 9.41.080. Delivery to ineligible persons.

No person may deliver a firearm to any person whom he or she has reasonable cause to believe: (1) Is ineligible under RCW 9.41.040 to possess a firearm or (2) has signed a valid voluntary waiver of firearm rights that has not been revoked under RCW 9.41.350. Any person violating this section is guilty of a class C felony, punishable under chapter 9A.20 RCW.

Section 9.41.090. Dealer deliveries regulated – Hold on delivery — Fees authorized. (Contingent expiration date.)

(1) In addition to the other requirements of this chapter, no dealer may deliver a pistol to the purchaser thereof until:

(a) The dealer is notified in writing by (i) the chief of police or the sheriff of the jurisdiction in which the purchaser resides that the purchaser is eligible to possess a pistol under RCW 9.41.040 and that the application to purchase is approved by the chief of police or sheriff; or (ii) the state that the purchaser is eligible to possess a firearm under RCW 9.41.040, as provided in subsection (3)(b) of this section; or

(b) The requirements or time periods in RCW 9.41.092 have been satisfied.

(2) In addition to the other requirements of this chapter, no dealer may deliver a semiautomatic assault rifle to the purchaser thereof until:

(a) The purchaser provides proof that he or she has completed a recognized firearm safety training program within the last five years that, at a minimum, includes instruction on:

(i) Basic firearms safety rules;

(ii) Firearms and children, including secure gun storage and talking to children about gun safety;

(iii) Firearms and suicide prevention;

(iv) Secure gun storage to prevent unauthorized access and use;

(v) Safe handling of firearms; and

(vi) State and federal firearms laws, including prohibited firearms transfers.

The training must be sponsored by a federal, state, county, or municipal law enforcement agency, a college or university, a nationally recognized organization that customarily offers firearms training, or a firearms training school with instructors certified by a nationally recognized organization that customarily offers firearms training. The proof of training shall be in the form of a certification that states under the penalty of perjury the training included the minimum requirements; and

(b) The dealer is notified in writing by (i) the chief of police or the sheriff of the jurisdiction in which the purchaser resides that the purchaser is eligible to possess a firearm under RCW 9.41.040 and that the application to purchase is approved by the chief of police or sheriff; or (ii) the state that the purchaser is eligible to possess a firearm under RCW 9.41.040, as provided in subsection (3)(b) of this section; or

(c) The requirements or time periods in RCW 9.41.092 have been satisfied.

(3)

(a) Except as provided in (b) of this subsection, in determining whether the purchaser meets the requirements of RCW 9.41.040, the chief of police or sheriff, or the designee of either, shall check with the national instant criminal background check system, provided for by the Brady handgun violence prevention act (18 U.S.C. Sec. 921 et seq.), the Washington state patrol electronic database, the health care authority electronic database, and with other agencies or resources as appropriate, to determine whether the applicant is ineligible under RCW 9.41.040 to possess a firearm.

(b) The state, through the legislature or initiative process, may enact a statewide firearms background check system equivalent to, or more comprehensive than, the check required by (a) of this subsection to determine that a purchaser is eligible to possess a firearm under RCW 9.41.040. Once a state system is established, a dealer shall use the state system and national instant criminal background check system, provided for by the Brady handgun violence prevention act (18 U.S.C. Sec. 921 et seq.), to make criminal background checks of applicants to purchase firearms.

(4) In any case under this section where the applicant has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor, the dealer shall hold the delivery of the pistol or semiautomatic assault rifle until the warrant for arrest is served and satisfied by appropriate court appearance. The local jurisdiction for purposes of the sale, or the state pursuant to subsection (3)(b) of this section, shall confirm the existence of outstanding warrants within seventy-two hours after notification of the application to purchase a pistol or semiautomatic assault rifle is received. The local jurisdiction shall also immediately confirm the satisfaction of the warrant on request of the dealer so that the hold may be released if the warrant was for an offense other than an offense making a person ineligible under RCW 9.41.040 to possess a firearm.

(5) In any case where the chief or sheriff of the local jurisdiction, or the state pursuant to subsection (3)(b) of this section, has reasonable grounds based on the following circumstances: (a) Open criminal charges, (b) pending criminal proceedings, (c) pending commitment proceedings, (d) an outstanding warrant for an offense making a person ineligible under RCW 9.41.040 to possess a firearm, or (e) an arrest for an offense making a person ineligible under RCW 9.41.040 to possess a firearm, if the records of disposition have not yet been reported or entered sufficiently to determine eligibility to purchase a firearm, the local jurisdiction or the state may hold the sale and delivery of the pistol or semiautomatic assault rifle up to thirty days in order to confirm existing records in this state or elsewhere. After thirty days, the hold will be lifted unless an extension of the thirty days is approved by a local district court, superior court, or municipal court for good cause shown. A dealer shall be notified of each hold placed on the sale by local law enforcement or the state and of any application to the court for additional hold period to confirm records or confirm the identity of the applicant.

(6)

(a) At the time of applying for the purchase of a pistol or semiautomatic assault rifle, the purchaser shall sign in triplicate and deliver to the dealer an application containing:

(i) His or her full name, residential address, date and place of birth, race, and gender;

(ii) The date and hour of the application;

(iii) The applicant's driver's license number or state identification card number;

(iv) A description of the pistol or semiautomatic assault rifle including the make, model, caliber and manufacturer's number if available at the time of applying for the purchase of a pistol or semiautomatic assault rifle. If the manufacturer's number is not available at the time of applying for the purchase of a pistol or semiautomatic assault rifle, the application may be processed, but delivery of the pistol or semiautomatic assault rifle to the purchaser may not occur unless the manufacturer's number is recorded on the application by the dealer and transmitted to the chief of police of the municipality or the sheriff of the county in which the purchaser resides, or the state pursuant to subsection (3)(b) of this section;

(v) A statement that the purchaser is eligible to purchase and possess a firearm under state and federal law; and

(vi) If purchasing a semiautomatic assault rifle, a statement by the applicant under penalty of perjury that the applicant has completed a recognized firearm safety training program within the last five years, as required by subsection (2) of this section.

(b) The application shall contain two warnings substantially stated as follows:

(i) CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. State permission to purchase a firearm is not a defense to a federal prosecution; and

(ii) CAUTION: The presence of a firearm in the home has been associated with an increased risk of death to self and others, including an increased risk of suicide, death during domestic violence incidents, and unintentional deaths to children and others.

The purchaser shall be given a copy of the department of fish and wildlife pamphlet on the legal limits of the use of firearms and firearms safety.

(c) The dealer shall, by the end of the business day, sign and attach his or her address and deliver a copy of the application and such other documentation as required under subsections (1) and (2) of this section to the chief of police of the municipality or the sheriff of the county of which the purchaser is a resident, or the state pursuant to subsection (3)(b) of this section. The triplicate shall be retained by the dealer for six years. The dealer shall deliver the pistol or semiautomatic assault rifle to the purchaser following the period of time specified in this chapter unless the dealer is notified of an investigative hold under subsection (5) of this section in writing by the chief of police of the municipality, the sheriff of the county, or the state, whichever is applicable, or of the denial of the purchaser's application to purchase and the grounds thereof. The application shall not be denied unless the purchaser is not eligible to purchase or possess the firearm under state or federal law.

(d) The chief of police of the municipality or the sheriff of the county, or the state pursuant to subsection (3)(b) of this section, shall retain or destroy applications to purchase a pistol or semiautomatic assault rifle in accordance with the requirements of 18 U.S.C. Sec. 922.

(7)

(a) To help offset the administrative costs of implementing this section as it relates to new requirements for semiautomatic assault rifles, the department of licensing may require the dealer to charge each semiautomatic assault rifle purchaser or transferee a fee not to exceed twenty-five dollars, except that the fee may be adjusted at the beginning of each biennium to levels not to exceed the percentage increase in the consumer price index for all urban consumers, CPI-W, or a successor index, for the previous biennium as calculated by the United States department of labor.

(b) The fee under (a) of this subsection shall be no more than is necessary to fund the following:

(i) The state for the cost of meeting its obligations under this section;

(ii) The health care authority, mental health institutions, and other health care facilities for state-mandated costs resulting from the reporting requirements imposed by RCW 9.41.097(1); and

(iii) Local law enforcement agencies for state-mandated local costs resulting from the requirements set forth under RCW 9.41.090 and this section.

(8) A person who knowingly makes a false statement regarding identity or eligibility requirements on the application to purchase a firearm is guilty of false swearing under RCW 9A.72.040.

(9) This section does not apply to sales to licensed dealers for resale or to the sale of antique firearms.

Section 9.41.092. Licensed dealer deliveries – Background checks.

(1) Except as otherwise provided in this chapter and except for semiautomatic assault rifles under subsection (2) of this section, a licensed dealer may not deliver any firearm to a purchaser or transferee until the earlier of:

(a) The results of all required background checks are known and the purchaser or transferee (i) is not prohibited from owning or possessing a firearm under federal or state law and (ii) does not have a voluntary waiver of firearm rights currently in effect; or

(b) Ten business days have elapsed from the date the licensed dealer requested the background check. However, for sales and transfers of pistols if the purchaser or transferee does not have a valid permanent Washington driver's license or state identification card or has not been a resident of the state for the previous consecutive ninety days, then the time period in this subsection shall be extended from ten business days to sixty days.

(2) Except as otherwise provided in this chapter, a licensed dealer may not deliver a semiautomatic assault rifle to a purchaser or transferee until ten business days have elapsed from the date of the purchase application or, in the case of a transfer, ten business days have elapsed from the date a background check is initiated.

Section 9.41.100. Dealer licensing and registration required.

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.

Section 9.41.110. Dealer's licenses, by whom granted, conditions, fees – Employees, fingerprinting and background checks – Wholesale sales excepted – Permits prohibited.

(1) 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 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 shall grant licenses in forms prescribed by the director of licensing effective for not more than 1 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 RCW 9.41.010 through 9.41.810. A licensing authority shall forward a copy of each license granted to the department of licensing. The department of licensing shall notify the department of revenue of the name and address of each dealer licensed under this section.

(5)

(a) A licensing authority shall, within thirty 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 ninety days, the licensing authority shall have up to sixty days to determine whether to issue a license. No person shall qualify for a license under this section without first receiving a federal firearms license and undergoing 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) A dealer shall require every employee who may sell a firearm in the course of his or her employment to undergo fingerprinting and a background check. An employee must be 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 pistols or semiautomatic assault rifles that are applicable to dealers.

(6)

(a) Except as otherwise provided in (b) of this subsection, the business shall be carried on only in the building designated in the license. 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 (6)(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 9.41.110. The license of a dealer who fails to comply with the requirements of RCW 9.41.080 and 9.41.090 and subsection (8) 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.

(7) 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.

(8)

(a) No pistol or semiautomatic assault rifle may be sold: (i) In violation of any provisions of RCW 9.41.010 through 9.41.810; nor (ii) may a pistol or semiautomatic assault rifle be sold 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 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.

(9)

(a) A true record in triplicate 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.

(b) One copy shall within six hours be sent by certified mail to the chief of police of the municipality or the sheriff of the county of which the purchaser is a resident, or the state pursuant to RCW 9.41.090; the duplicate the dealer shall within seven days send to the director of licensing; the triplicate the dealer shall retain for six years.

(10) Subsections (2) through (9) of this section shall not apply to sales at wholesale.

(11) 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.

(12) Except as provided in RCW 9.41.090, 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.

Section 9.41.111. Firearm frames or receivers – Background check – Penalty

(1) Beginning on the date that is thirty days after the Washington state patrol issues a notification to dealers that a state firearms background check system is established within the Washington state patrol, a dealer shall use the state firearms background check system to conduct background checks for purchases or transfers of firearm frames or receivers in accordance with this section.

(a) A dealer may not deliver a firearm frame or receiver to a purchaser or transferee unless the dealer first conducts a background check of the applicant through the state firearms background check system and the requirements or time periods in RCW 9.41.092(1) have been satisfied.

(b) When processing an application for the purchase or transfer of a firearm frame or receiver, a dealer shall comply with the application, recordkeeping, and other requirements of this chapter that apply to the sale or transfer of a pistol.

(c) A signed application for the purchase or transfer of a firearm frame or receiver shall constitute a waiver of confidentiality and written request that the health care authority, mental health institutions, and other health care facilities release, to an inquiring court, law enforcement agency, or the state, information relevant to the applicant's eligibility to possess a firearm. Any mental health information received by a court, law enforcement agency, or the state pursuant to this section shall not be disclosed except as provided in RCW 42.56.240(4).

(d) The department of licensing shall keep copies or records of applications for the purchase or transfer of a firearm frame or receiver and copies or records of firearm frame or receiver transfers in the same manner as pistol and semiautomatic assault rifle application and transfer records under RCW 9.41.129.

(e) A person who knowingly makes a false statement regarding identity or eligibility requirements on the application to purchase a firearm frame or receiver is guilty of false swearing under RCW 9A.72.040.

(f) This section does not apply to sales or transfers of firearm frames or receivers to licensed dealers.

(2) For the purposes of this section, "firearm frame or receiver" means the federally regulated part of a firearm that provides housing for the hammer, bolt or breechblock, and firing mechanism, and which is usually threaded at its forward portion to receive the barrel.

Section 9.41.113. Firearm sales or transfers – Background checks – Requirements – Exceptions.

(1) All firearm sales or transfers, in whole or part in this state including without limitation a sale or transfer where either the purchaser or seller or transferee or transferor is in Washington, shall be subject to background checks unless specifically exempted by state or federal law. The background check requirement applies to all sales or transfers including, but not limited to, sales and transfers through a licensed dealer, at gun shows, online, and between unlicensed persons.

(2) No person shall sell or transfer a firearm unless:

(a) The person is a licensed dealer;

(b) The purchaser or transferee is a licensed dealer; or

(c) The requirements of subsection (3) of this section are met.

(3) Where neither party to a prospective firearms transaction is a licensed dealer, the parties to the transaction shall complete the sale or transfer through a licensed dealer as follows:

(a) The seller or transferor shall deliver the firearm to a licensed dealer to process the sale or transfer as if it is selling or transferring the firearm from its inventory to the purchaser or transferee, except that the unlicensed seller or transferor may remove the firearm from the business premises of the licensed dealer while the background check is being conducted. If the seller or transferor removes the firearm from the business premises of the licensed dealer while the background check is being conducted, the purchaser or transferee and the seller or transferor shall return to the business premises of the licensed dealer and the seller or transferor shall again deliver the firearm to the licensed dealer prior to completing the sale or transfer.

(b) Except as provided in (a) of this subsection, the licensed dealer shall comply with all requirements of federal and state law that would apply if the licensed dealer were selling or transferring the firearm from its inventory to the purchaser or transferee, including but not limited to conducting a background check on the prospective purchaser or transferee in accordance with federal and state law requirements and fulfilling all federal and state recordkeeping requirements, and complying with the specific requirements and restrictions on semiautomatic assault rifles in chapter 3, Laws of 2019.

(c) The purchaser or transferee must complete, sign, and submit all federal, state, and local forms necessary to process the required background check to the licensed dealer conducting the background check.

(d) If the results of the background check indicate that the purchaser or transferee is ineligible to possess a firearm, then the licensed dealer shall return the firearm to the seller or transferor.

(e) The licensed dealer may charge a fee that reflects the fair market value of the administrative costs and efforts incurred by the licensed dealer for facilitating the sale or transfer of the firearm.

(4) This section does not apply to:

(a) A transfer between immediate family members, which for this subsection shall be limited to spouses, domestic partners, parents, parents-in-law, children, siblings, siblings-in-law, grandparents, grandchildren, nieces, nephews, first cousins, aunts, and uncles, that is a bona fide gift or loan;

(b) The sale or transfer of an antique firearm;

(c) A temporary transfer of possession of a firearm if such transfer is necessary to prevent imminent death or great bodily harm to the person to whom the firearm is transferred if:

(i) The temporary transfer only lasts as long as immediately necessary to prevent such imminent death or great bodily harm; and

(ii) The person to whom the firearm is transferred is not prohibited from possessing firearms under state or federal law;

(d) A temporary transfer of possession of a firearm if: (i) The transfer is intended to prevent suicide or self-inflicted great bodily harm; (ii) the transfer lasts only as long as reasonably necessary to prevent death or great bodily harm; and (iii) the firearm is not utilized by the transferee for any purpose for the duration of the temporary transfer;

(e) Any law enforcement or corrections agency and, to the extent the person is acting within the course and scope of his or her employment or official duties, any law enforcement or corrections officer, United States marshal, member of the armed forces of the United States or the national guard, or federal official;

(f) A federally licensed gunsmith who receives a firearm solely for the purposes of service or repair, or the return of the firearm to its owner by the federally licensed gunsmith;

(g) The temporary transfer of a firearm (i) between spouses or domestic partners; (ii) if the temporary transfer occurs, and the firearm is kept at all times, at an established shooting range authorized by the governing body of the jurisdiction in which such range is located; (iii) if the temporary transfer occurs and the transferee's possession of the firearm is exclusively at a lawful organized competition involving the use of a firearm, or while participating in or practicing for a performance by an organized group that uses firearms as a part of the performance; (iv) to a person who is under 18 years of age for lawful hunting, sporting, or educational purposes while under the direct supervision and control of a responsible adult who is not prohibited from possessing firearms; or (v) under circumstances in which the transferee and the firearm remain in the presence of the transferor; or (vi) while hunting if the hunting is legal in all places where the person to whom the firearm is transferred possesses the firearm and the person to whom the firearm is transferred has completed all training and holds all licenses or permits required for such hunting, provided that any temporary transfer allowed by this subsection is permitted only if the person to whom the firearm is transferred is not prohibited from possessing firearms under state or federal law;

(h) A person who (i) acquired a firearm other than a pistol by operation of law upon the death of the former owner of the firearm or (ii) acquired a pistol by operation of law upon the death of the former owner of the pistol within the

preceding sixty days. At the end of the sixty-day period, the person must either have lawfully transferred the pistol or must have contacted the department of licensing to notify the department that he or she has possession of the pistol and intends to retain possession of the pistol, in compliance with all federal and state laws; or

(i) A sale or transfer when the purchaser or transferee is a licensed collector and the firearm being sold or transferred is a curio or relic.

Section 9.41.1135. Firearms sales or transfers — Use of state firearms background check system.

(1) Beginning on the date that is thirty days after the Washington state patrol issues a notification to dealers that a state firearms background check system is established within the Washington state patrol under RCW 43.43.580, a dealer shall use the state firearms background check system to conduct background checks for all firearms transfers. A dealer may not sell or transfer a firearm to an individual unless the dealer first contacts the Washington state patrol for a background check to determine the eligibility of the purchaser or transferee to possess a firearm under state and federal law and the requirements and time periods established in RCW 9.41.090 and 9.41.092 have been satisfied. When an applicant applies for the purchase or transfer of a pistol or semiautomatic assault rifle, a dealer shall comply with all requirements of this chapter that apply to the sale or transfer of a pistol or semiautomatic rifle. The purchase or transfer of a firearm that is not a pistol or semiautomatic assault rifle must be processed in the same manner and under the same requirements of this chapter that apply to the sale or transfer of a pistol, except that the provisions of RCW 9.41.129, and the requirement in RCW 9.41.110(9)(b) concerning transmitting application records to the director of licensing, shall not apply to these transactions.

(2) A dealer shall charge a purchaser or transferee a background check fee in an amount determined by the Washington state patrol and remit the proceeds from the fee to the Washington state patrol on a monthly basis. The background check fee does not apply to any background check conducted in connection with a pawnbroker's receipt of a pawned firearm or the redemption of a pawned firearm.

(3) This section does not apply to sales or transfers to licensed dealers or to the sale or transfer of an antique firearm.

Section 9.41.122. Out-of-state purchasing.

Residents of Washington may purchase rifles and shotguns in a state other than Washington: PROVIDED, That such residents conform to the applicable provisions of the federal Gun Control Act of 1968, Title IV, Pub. L. 90-351 as administered by the United States secretary of the treasury: AND PROVIDED FURTHER, That such residents are eligible to purchase or possess such weapons in Washington and in the state in which such purchase is made: AND PROVIDED FURTHER, That when any part of the transaction takes place in Washington, including, but not limited to, internet sales, such residents are subject to the procedures and background checks required by this chapter.

Section 9.41.124. Purchasing of rifles and shotguns by nonresidents.

Residents of a state other than Washington may purchase rifles and shotguns, except those firearms defined as semiautomatic assault rifles, in Washington: PROVIDED, That such residents conform to the applicable provisions of the federal Gun Control Act of 1968, Title IV, Pub. L. 90-351 as administered by the United States secretary of the treasury: AND PROVIDED FURTHER, That such residents are eligible to purchase or possess such weapons in Washington and in the state in which such persons reside: AND PROVIDED FURTHER, That such residents are subject to the procedures and background checks required by this chapter.

Section 9.41.140. Alteration of identifying marks – Exceptions.

No person may change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark of identification on any firearm. Possession of any firearm upon which any such mark shall have been changed, altered, removed, or obliterated, shall be prima facie evidence that the possessor has changed, altered, removed, or obliterated the same. This section shall not apply to replacement barrels in old firearms, which barrels are produced by current manufacturers and therefore do not have the markings on the barrels of the original manufacturers who are no longer in business. This section also shall not apply if the changes do not make the firearm illegal for the person to possess under state or federal law.

Section 9.41.171. Alien possession of firearms – Requirements – Penalty.

It is a class C felony for any person who is not a citizen of the United States to carry or possess any firearm, unless the person: (1) Is a lawful permanent resident; (2) has obtained a valid alien firearm license pursuant to RCW 9.41.173; or (3) meets the requirements of RCW 9.41.175.

Section 9.41.173. Alien possession of firearms – Alien firearm license – Political subdivisions may not modify requirements – Penalty for false statement.

(1) In order to obtain an alien firearm license, a nonimmigrant alien residing in Washington must apply to the sheriff of the county in which he or she resides.

(2) The sheriff of the county shall within sixty days after the filing of an application of a nonimmigrant alien residing in the state of Washington, issue an alien firearm license to such person to carry or possess a firearm for the purposes of hunting and sport shooting. The license shall be good for two years. The issuing authority shall not refuse to accept completed applications for alien firearm licenses during regular business hours. An application for a license may not be denied, unless the applicant's alien firearm license is in a revoked status, or the applicant:

- (a)** Is ineligible to possess a firearm under the provisions of RCW 9.41.040 or 9.41.045;
- (b)** Is subject to a court order or injunction regarding firearms pursuant to chapter 7.105 RCW, or RCW 9A.46.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, *26.10.040, 26.26B.020, or 26.26A.470, or any of the former RCW 10.14.080, 26.10.115, 26.50.060, and 26.50.070;
- (c)** Is free on bond or personal recognizance pending trial, appeal, or sentencing for a felony offense; or
- (d)** Has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor.

No license application shall be granted to a nonimmigrant alien convicted of a felony unless the person has been granted relief from disabilities by the attorney general under 18 U.S.C. Sec. 925(c), or unless RCW 9.41.040 (3) or (4) applies.

(3) The sheriff shall check with the national crime information center, the Washington state patrol electronic database, the health care authority electronic database, and with other agencies or resources as appropriate, to determine whether the applicant is ineligible under RCW 9.41.040 or 9.41.045 to possess a firearm.

(4) The license application shall bear the full name, residential address, telephone number at the option of the applicant, date and place of birth, race, gender, description, a complete set of fingerprints, and signature of the applicant, a copy of the applicant's passport and visa showing the applicant is in the country legally, and a valid Washington hunting license or documentation that the applicant is a member of a sport shooting club.

A signed application for an alien firearm license shall constitute a waiver of confidentiality and written request that the health care authority, mental health institutions, and other health care facilities release information relevant to the applicant's eligibility for an alien firearm license to an inquiring court or law enforcement agency.

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

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

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

The license shall contain a description of the major differences between state and federal law and an explanation of the fact that local laws and ordinances on firearms are preempted by state law and must be consistent with state law. The application shall contain questions about the applicant's eligibility under RCW 9.41.040 to possess a firearm. The nonimmigrant alien applicant shall be required to produce a passport and visa as evidence of being in the country legally.

The license may be in triplicate or in a form to be prescribed by the department of licensing. The original thereof shall be delivered to the licensee, the duplicate shall within seven days be sent to the director of licensing and the triplicate shall be preserved for six years, by the authority issuing the license.

The department of licensing shall make available to law enforcement and corrections agencies, in an online format, all information received under this section.

(5) The sheriff has the authority to collect a nonrefundable fee, paid upon application, for the two-year license. The fee shall be fifty dollars plus additional charges imposed by the Washington state patrol and the federal bureau of investigation that are passed on to the applicant. No other state or local branch or unit of government may impose any additional charges on the applicant for the issuance of the license. The fee shall be retained by the sheriff.

(6) Payment shall be by cash, check, or money order at the option of the applicant. Additional methods of payment may be allowed at the option of the sheriff.

(7) A political subdivision of the state shall not modify the requirements of this section, nor may a political subdivision ask the applicant to voluntarily submit any information not required by this section.

(8) A person who knowingly makes a false statement regarding citizenship or identity on an application for an alien firearm license is guilty of false swearing under RCW 9A.72.040. In addition to any other penalty provided for by law, the alien firearm license of a person who knowingly makes a false statement shall be revoked, and the person shall be permanently ineligible for an alien firearm license.

Section 9.41.175. Alien possession of firearms – Possession without license – Conditions.

(1) A nonimmigrant alien, who is not a resident of Washington or a citizen of Canada, may carry or possess any firearm without having first obtained an alien firearm license if the nonimmigrant alien possesses:

- (a)** A valid passport and visa showing he or she is in the country legally;
- (b)** If required under federal law, an approved United States department of justice ATF-6 NIA application and permit for temporary importation of firearms and ammunition by nonimmigrant aliens;
- (c)**
 - (i)** A valid hunting license issued by a state or territory of the United States; or
 - (ii)** An invitation to participate in a trade show or sport shooting event being conducted in this state, another state, or another country that is contiguous with this state.

(2) A citizen of Canada may carry or possess any firearm so long as he or she possesses:

- (a)** Valid documentation as required for entry into the United States;
- (b)** If required under federal law, an approved United States department of justice ATF-6 NIA application and permit for temporary importation of firearms and ammunition by nonimmigrant aliens; and
- (c)**
 - (i)** A valid hunting license issued by a state or territory of the United States; or
 - (ii)** An invitation to participate in a trade show or sport shooting event being conducted in this state, another state, or another country that is contiguous with this state.

(3) For purposes of subsections (1) and (2) of this section, the firearms may only be possessed for the purpose of using them in the hunting of game while such persons are in the act of hunting, or while on a hunting trip, or while such persons are competing in a bona fide trap or skeet shoot or any other organized contest where rifles, pistols, or shotguns are used. Nothing in this section shall be construed to allow aliens to hunt or fish in this state without first having obtained a regular hunting or fishing license.

Section 9.41.190. Unlawful firearms – Exceptions.

(1) Except as otherwise provided in this section, it is unlawful for any person to:

- (a)** Manufacture, own, buy, sell, loan, furnish, transport, or have in possession or under control, any machine gun, bump-fire stock, undetectable firearm, short-barreled shotgun, or short-barreled rifle;
- (b)** Manufacture, own, buy, sell, loan, furnish, transport, or have in possession or under control, any part designed and intended solely and exclusively for use in a machine gun, bump-fire stock, undetectable firearm, short-barreled shotgun, or short-barreled rifle, or in converting a weapon into a machine gun, short-barreled shotgun, or short-barreled rifle;
- (c)** Assemble or repair any machine gun, bump-fire stock, undetectable firearm, short-barreled shotgun, or short-barreled rifle; or
- (d)** Manufacture, cause to be manufactured, assemble, or cause to be assembled, an untraceable firearm with the intent to sell the untraceable firearm.

(2) It is not unlawful for a person to manufacture, own, buy, sell, loan, furnish, transport, assemble, or repair, or have in possession or under control, a short-barreled rifle, or any part designed or intended solely and exclusively for use in a short-barreled rifle or in converting a weapon into a short-barreled rifle, if the person is in compliance with applicable federal law.

(3) Subsection (1) of this section shall not apply to:

- (a)** Any peace officer in the discharge of official duty or traveling to or from official duty, or to any officer or member of the armed forces of the United States or the state of Washington in the discharge of official duty or traveling to or from official duty; or
- (b)** A person, including an employee of such person if the employee has undergone fingerprinting and a background check, who or which is exempt from or licensed under federal law, and engaged in the production, manufacture, repair, or testing of machine guns, bump-fire stocks, short-barreled shotguns, or short-barreled rifles:
 - (i)** To be used or purchased by the armed forces of the United States;
 - (ii)** To be used or purchased by federal, state, county, or municipal law enforcement agencies; or
 - (iii)** For exportation in compliance with all applicable federal laws and regulations.

(4) It shall be an affirmative defense to a prosecution brought under this section that the machine gun or short-barreled shotgun was acquired prior to July 1, 1994, and is possessed in compliance with federal law.

(5) Any person violating this section is guilty of a class C felony.

Section 9.41.220. Unlawful firearms and parts contraband.

All machine guns, bump-fire stocks, undetectable firearms, short-barreled shotguns, or short-barreled rifles, or any part designed and intended solely and exclusively for use in a machine gun, short-barreled shotgun, or short-barreled rifle, or in converting a weapon into a machine gun, short-barreled shotgun, or short-barreled rifle, illegally held or illegally possessed are hereby declared to be contraband, and it shall be the duty of all peace officers, and/or any officer or member of the armed forces of the United States or the state of Washington, to seize said machine gun, bump-fire stock, undetectable firearms, short-barreled shotgun, or short-barreled rifle, or parts thereof, wherever and whenever found.

Section 9.41.240. Possession of pistol or semiautomatic assault rifle by person from eighteen to twenty-one.

(1) A person under twenty-one years of age may not purchase a pistol or semiautomatic assault rifle, and except as otherwise provided in this chapter, no person may sell or transfer a semiautomatic assault rifle to a person under twenty-one years of age.

(2) Unless an exception under RCW 9.41.042, 9.41.050, or 9.41.060 applies, a person at least eighteen years of age, but less than twenty-one years of age, may possess a pistol only:

- (a) In the person's place of abode;
- (b) At the person's fixed place of business; or
- (c) On real property under his or her control.

(3) Except in the places and situations identified in RCW 9.41.042 (1) through (9) and 9.41.060 (1) through (10), a person at least eighteen years of age, but less than twenty-one years of age, may possess a semiautomatic assault rifle only:

- (a) In the person's place of abode;
- (b) At the person's fixed place of business;
- (c) On real property under his or her control; or
- (d) For the specific purpose of (i) moving to a new place of abode; (ii) traveling between the person's place of abode and real property under his or her control; or (iii) selling or transferring the firearm in accordance with the requirements of this chapter; provided that in all of these situations the semiautomatic assault rifle is unloaded and either in secure gun storage or secured with a trigger lock or similar device that is designed to prevent the unauthorized use or discharge of the firearm.

Section 9.41.280. Possessing dangerous weapons on school facilities — Penalty — Exceptions.

(1) It is unlawful for a person to knowingly carry onto, or to possess on, public or private elementary or secondary school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools, or areas of facilities while being used for official meetings of a school district board of directors:

- (a) Any firearm;
- (b) Any other dangerous weapon as defined in RCW 9.41.250;

(2) Any such person violating subsection (1) of this section is guilty of a misdemeanor. Second and subsequent violations of subsection (1) of this section are a gross misdemeanor. If any person is convicted of a violation of subsection (1)(a) of this section, the person shall have his or her concealed pistol license, if any revoked for a period of three years. Anyone convicted under this subsection is prohibited from applying for a concealed pistol license for a period of three years. The court shall send notice of the revocation to the department of licensing, and the city, town, or county which issued the license.

Any violation of subsection (1) of this section by elementary or secondary school students constitutes grounds for expulsion from the state's public schools in accordance with RCW 28A.600.010. An appropriate school authority shall promptly notify law enforcement and the student's parent or guardian regarding any allegation or indication of such violation.

Upon the arrest of a person at least twelve years of age and not more than twenty-one years of age for violating subsection (1)(a) of this section, the person shall be detained or confined in a juvenile or adult facility for up to seventy-two hours. The person shall not be released within the seventy-two hours until after the person has been examined and evaluated by the designated crisis responder unless the court in its discretion releases the person sooner after a determination regarding probable cause or on probation bond or bail.

Within twenty-four hours of the arrest, the arresting law enforcement agency shall refer the person to the designated crisis responder for examination and evaluation under chapter 71.05 or 71.34 RCW and inform a parent or guardian of the person of the arrest, detention, and examination. The designated crisis responder shall examine and evaluate the person subject to the provisions of chapter 71.05 or 71.34 RCW. The examination shall occur at the facility in which the person is detained or confined. If the person has been released on probation, bond, or bail, the examination shall occur wherever is appropriate.

Upon completion of any examination by the designated crisis responder, the results of the examination shall be sent to the court, and the court shall consider those results in making any determination about the person.

The designated crisis responder shall, to the extent permitted by law, notify a parent or guardian of the person that an examination and evaluation has taken place and the results of the examination. Nothing in this subsection prohibits the delivery of additional, appropriate mental health examinations to the person while the person is detained or confined.

If the designated crisis responder determines it is appropriate, the designated crisis responder may refer the person to the local behavioral health administrative services organization for follow-up services or other community providers for other services to the family and individual.

(3) Subsection (1) of this section does not apply to:

(a) Any student or employee of a private military academy when on the property of the academy;

(b) Any person engaged in military, law enforcement, or school district security activities. However, a person who is not a commissioned law enforcement officer and who provides school security services under the direction of a school administrator may not possess a device listed in subsection (1)(f) of this section unless he or she has successfully completed training in the use of such devices that is equivalent to the training received by commissioned law enforcement officers;

(c) Any person who is involved in a convention, showing, demonstration, lecture, or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;

(d) Any person while the person is participating in a firearms or air gun competition approved by the school or school district;

(e) Any person in possession of a pistol who has been issued a license under RCW 9.41.070, or is exempt from the licensing requirement by RCW 9.41.060, while:

(i) Picking up or dropping off a student; or

(ii) Attending official meetings of a school district board of directors held off school district-owned or leased property;

(f) Any nonstudent at least eighteen years of age legally in possession of a firearm or dangerous weapon that is secured within an attended vehicle or concealed from view within a locked unattended vehicle while conducting legitimate business at the school;

(g) Any nonstudent at least eighteen years of age who is in lawful possession of an unloaded firearm, secured in a vehicle while conducting legitimate business at the school; or

(h) Any law enforcement officer of the federal, state, or local government agency.

(6) Except as provided in subsection (3)(b), (c), (f), and (h) of this section, firearms are not permitted in a public or private school building.

(7) “**GUN-FREE ZONE**” signs shall be posted around school facilities giving warning of the prohibition of the possession of firearms on school grounds.

(8) A school district board of directors must post signs providing notice of the restrictions on possession of firearms and other weapons under this section at facilities being used for official meetings of the school district board of directors.

Section 9.41.282. Possessing dangerous weapons on childcare premises — Penalty — Exceptions.

(1) It is unlawful for a person to carry onto, or to possess on, licensed childcare center premises, child care center-provided transportation, or areas of facilities while being used exclusively by a child care center:

(a) Any firearm;

(b) Any other dangerous weapon as described in RCW 9.41.250;

(c) Any air gun, including any air pistol or air rifle, designed to propel a BB, pellet, or other projectile by the discharge of compressed air, carbon dioxide, or other gas; or

(d)

(i) Any portable device manufactured to function as a weapon and which is commonly known as a stun gun, including a projectile stun gun that projects wired probes that are attached to the device that emit an electrical charge designed to administer to a person or an animal an electric shock, charge, or impulse; or

(ii) Any device, object, or instrument that is used or intended to be used as a weapon with the intent to injure a person by an electric shock, charge, or impulse.

(2) A person who violates subsection (1) of this section is guilty of a gross misdemeanor. If a person is convicted of a violation of subsection (1)(a) of this section, the person shall have his or her concealed pistol license, if any, revoked for a period of three years. Anyone convicted under subsection (1)(a) of this section is prohibited from applying for a concealed pistol license for a period of three years from the date of conviction. The court shall order the person to immediately surrender any concealed pistol license, and within three business days notify the department of licensing in writing of the required revocation of any concealed pistol license held by the person. Upon receipt of the notification by the court, the department of licensing shall determine if the person has a concealed pistol license. If the person does have a concealed pistol license, the department of licensing shall immediately notify the license-issuing authority which, upon receipt of the notification, shall immediately revoke the license.

(3) Subsection (1) of this section does not apply to:

(a) Family day care provider homes as defined in RCW 43.216.010;

(b) Any person in possession of a pistol who has been issued a license under RCW 9.41.070, or is exempt from the licensing requirement by RCW 9.41.060, while picking up or dropping off a child at the child care center;

(c) Any person at least eighteen years of age legally in possession of a firearm or dangerous weapon that is secured within an attended vehicle or concealed from view within a locked unattended vehicle while conducting legitimate business at the childcare center; or

(d) Any law enforcement officer of a federal, state, or local government agency.

(4) Childcare centers must post "GUN-FREE ZONE" signs giving warning of the prohibition of the possession of firearms on center premises.

(5) A childcare center that is located on public or private elementary or secondary school premises is subject to the requirements of RCW 9.41.280.

(6) For the purposes of this section, childcare center has the same meaning as "child day care center" as defined in RCW 43.216.010.

Section 9.41.284. Possessing dangerous weapons at voting facilities — Penalty — Exceptions.

(1) Except as provided in subsections (3) and (4) of this section, it is unlawful for a person to knowingly carry onto, or to possess in, a ballot counting center, a voting center, a student engagement hub, or the county elections and voter registration office, or areas of facilities while being used as a ballot counting center, a voting center, a student engagement hub, or the county elections and voter registration office:

(a) Any firearm;

(b) Any other dangerous weapon as described in RCW 9.41.250;

(c) Any air gun, including any air pistol or air rifle, designed to propel a BB, pellet, or other projectile by the discharge of compressed air, carbon dioxide, or other gas;

(d)

(i) Any portable device manufactured to function as a weapon and which is commonly known as a stun gun, including a projectile stun gun that projects wired probes that are attached to the device that emit an electrical charge designed to administer to a person or an animal an electric shock, charge, or impulse; or

(ii) Any device, object, or instrument that is used or intended to be used as a weapon with the intent to injure a person by an electric shock, charge, or impulse; or

(e) Any spring blade knife as defined in RCW 9.41.250.

(2) A person who violates subsection (1) of this section is guilty of a misdemeanor. Second and subsequent violations of this section are a gross misdemeanor. If a person is convicted of a violation of subsection (1)(a) of this section, the person shall have his or her concealed pistol license, if any, revoked for a period of three years. Anyone convicted under subsection (1)(a) of this section is prohibited from applying for a concealed pistol license for a period of three years from the date of conviction. The court shall order the person to immediately surrender any concealed pistol license, and within three business days notify the department of licensing in writing of the required revocation of any concealed pistol license held by the person. Upon receipt of the notification by the court, the department of licensing shall determine if the person has a concealed pistol license. If the person does have a concealed pistol license, the department of licensing shall immediately notify the license-issuing authority which, upon receipt of the notification, shall immediately revoke the license.

(3) Subsection (1) of this section does not apply to:

(a) Any law enforcement officer of a federal, state, or local government agency; or

(b) Any security personnel hired by a county and engaged in security specifically for a counting center, a voting center, a student engagement hub, or the county elections and voter registration office or areas of facilities used for such purposes. However, a person who is not a commissioned law enforcement officer and who provides elections and voter registration security services under the direction of a county may not possess a firearm or device listed in subsection (1)(d) of this section unless he or she has successfully completed training in the use of firearms or such devices that is equivalent to the training received by commissioned law enforcement officers.

(4) Subsection (1) of this section does not prohibit concealed carry of a pistol, by a person licensed to carry a concealed pistol pursuant to RCW 9.41.070, in any voting center, student engagement hub, county elections and voter registration office, or areas of facilities while being used as a voting center, student engagement hub, or county elections and voter registration office. However, no weapon restricted by this section, whether concealed or openly carried, may be possessed in any ballot counting center or areas of facilities while being used as a ballot counting center.

(5) Elections officers and officials must post signs providing notice of the restriction on possession of firearms and other weapons at each counting center, voting center, student engagement hub, or county elections and voter registration office, or areas of facilities while being used as a counting center, a voting center, a student engagement hub, or the county elections and voter registration office.

(6) For the purposes of this section:

(a) "Ballot counting center" has the same meaning as "counting center" in RCW 29A.04.019;

(b) "Voting center" means a voting center as described in RCW 29A.40.160; and

(c) "Student engagement hub" means a student engagement hub as described in RCW 29A.40.180.

Section 9.41.290. State preemption.

The state of Washington hereby fully occupies and preempts the entire field of firearms regulation within the boundaries of the state, including the registration, licensing, possession, purchase, sale, acquisition, transfer, discharge, and transportation of firearms, or any other element relating to firearms or parts thereof, including ammunition and reloader components. Cities, towns, and counties or other municipalities may enact only those laws and ordinances relating to firearms that are specifically authorized by state law, as in RCW 9.41.300, and are consistent with this chapter. Such local ordinances shall have the same penalty as provided for by state law. Local laws and ordinances that are inconsistent with, more restrictive than, or exceed the requirements of state law shall not be enacted and are preempted and repealed, regardless of the nature of the code, charter, or home rule status of such city, town, county, or municipality.

Section 9.41.300. Weapons prohibited in certain places – Local laws and ordinances – Exceptions – Penalty.

(1) It is unlawful for any person to enter the following places when he or she knowingly possesses or knowingly has under his or her control a weapon:

(a) The restricted access areas of a jail, or of a law enforcement facility, or any place used for the confinement of a person

(i) arrested for, charged with, or convicted of an offense,

(ii) held for extradition or as a material witness, or

(iii) otherwise confined pursuant to an order of a court, except an order under chapter 13.32A or 13.34 RCW. Restricted access areas do not include common areas of egress or ingress open to the general public;

(b) Those areas in any building which are used in connection with court proceedings, including courtrooms, jury rooms, judge's chambers, offices and areas used to conduct court business, waiting areas, and corridors adjacent to areas used in connection with court proceedings. The restricted areas do not include common areas of ingress and egress to the building that is used in connection with court proceedings, when it is possible to protect court areas

without restricting ingress and egress to the building. The restricted areas shall be the minimum necessary to fulfill the objective of this subsection (1)(b).

For purposes of this subsection (1)(b), “weapon” means any firearm, explosive as defined in [RCW 70.74.010](#), or any weapon of the kind usually known as slungshot, sand club, or metal knuckles, or any knife, dagger, dirk, or other similar weapon that is capable of causing death or bodily injury and is commonly used with the intent to cause death or bodily injury.

In addition, the local legislative authority shall provide either a stationary locked box sufficient in size for pistols and key to a weapon owner for weapon storage or shall designate an official to receive weapons for safekeeping, during the owner's visit to restricted areas of the building. The locked box or designated official shall be located within the same building used in connection with court proceedings. The local legislative authority shall be liable for any negligence causing damage to or loss of a weapon either placed in a locked box or left with an official during the owner's visit to restricted areas of the building.

The local judicial authority shall designate and clearly mark those areas where weapons are prohibited, and shall post notices at each entrance to the building of the prohibition against weapons in the restricted areas;

(c) The restricted access areas of a public mental health facility licensed or certified by the department of health for inpatient hospital care and state institutions for the care of the mentally ill, excluding those facilities solely for evaluation and treatment. Restricted access areas do not include common areas of egress and ingress open to the general public.

(d) That portion of an establishment classified by the state liquor and cannabis board as off-limits to persons under 21 years of age; or

(e) The restricted access areas of a commercial service airport designated in the airport security plan approved by the federal transportation security administration, including passenger screening checkpoints at or beyond the point at which a passenger initiates the screening process. These areas do not include airport drives, general parking areas and walkways, and shops and areas of the terminal that are outside the screening checkpoints and that are normally open to unscreened passengers or visitors to the airport. Any restricted access area shall be clearly indicated by prominent signs indicating that firearms and other weapons are prohibited in the area.

(2)(a) Except as provided in (c) of this subsection, it is unlawful for any person to knowingly open carry a firearm or other weapon while knowingly at any permitted demonstration. This subsection (2)(a) applies whether the person carries the firearm or other weapon on his or her person or in a vehicle.

(b) It is unlawful for any person to knowingly open carry a firearm or other weapon while knowingly within 250 feet of the perimeter of a permitted demonstration after a duly authorized state or local law enforcement officer advises the person of the permitted demonstration and directs the person to leave until he or she no longer possesses or controls the firearm or other weapon. This subsection (2)(b) does not apply to any person possessing or controlling any firearm or other weapon on private property owned or leased by that person.

(c) Duly authorized federal, state, and local law enforcement officers and personnel are exempt from the provisions of this subsection (2) when carrying a firearm or other weapon in conformance with their employing agency's policy. Members of the armed forces of the United States or the state of Washington are exempt from the provisions of this subsection (2) when carrying a firearm or other weapon in the discharge of official duty or traveling to or from official duty.

(d) For purposes of this subsection, the following definitions apply:

(i) “Permitted demonstration” means either: (A) A gathering for which a permit has been issued by a federal agency, state agency, or local government; or (B) a gathering of 15 or more people who are assembled for a single event at a public place that has been declared as permitted by the chief executive, sheriff, or chief of police of a local government in which the gathering occurs. A “gathering” means a demonstration, march, rally, vigil, sit-in, protest, picketing, or similar public assembly.

(ii) “Public place” means any site accessible to the general public for business, entertainment, or another lawful purpose. A “public place” includes, but is not limited to, the front, immediate area, or parking lot of any store, shop, restaurant, tavern, shopping center, or other place of business; any public building, its grounds, or surrounding area; or any public parking lot, street, right-of-way, sidewalk, public park, or other public grounds.

(iii) “Weapon” has the same meaning given in subsection (1)(b) of this section.

(e) Nothing in this subsection applies to the lawful concealed carry of a firearm by a person who has a valid concealed pistol license.

(3) Cities, towns, counties, and other municipalities may enact laws and ordinances:

(a) Restricting the discharge of firearms in any portion of their respective jurisdictions where there is a reasonable likelihood that humans, domestic animals, or property will be jeopardized. Such laws and ordinances shall not abridge the right of the individual guaranteed by Article I, section 24 of the state Constitution to bear arms in defense of self or others; and

(b) Restricting the possession of firearms in any stadium or convention center, operated by a city, town, county, or other municipality, except that such restrictions shall not apply to:

(i) Any pistol in the possession of a person licensed under RCW 9.41.070 or exempt from the licensing requirement by RCW 9.41.060; or

(ii) Any showing, demonstration, or lecture involving the exhibition of firearms.

(4)

(a) Cities, towns, and counties may enact ordinances restricting the areas in their respective jurisdictions in which firearms may be sold, but except as provided in (b) of this subsection, a business selling firearms may not be treated more restrictively than other businesses located within the same zone. An ordinance requiring the cessation of business within a zone shall not have a shorter grandfather period for businesses selling firearms than for any other businesses within the zone.

(b) Cities, towns, and counties may restrict the location of a business selling firearms to not less than 500 feet from primary or secondary school grounds, if the business has a storefront, has hours during which it is open for business, and posts advertisements or signs observable to passersby that firearms are available for sale. A business selling firearms that exists as of the date a restriction is enacted under this subsection (4)(b) shall be grandfathered according to existing law.

(5) Violations of local ordinances adopted under subsection (3) of this section must have the same penalty as provided for by state law.

(6) The perimeter of the premises of any specific location covered by subsection (1) of this section shall be posted at reasonable intervals to alert the public as to the existence of any law restricting the possession of firearms on the premises.

(7) Subsection (1) of this section does not apply to:

(a) A person engaged in military activities sponsored by the federal or state governments, while engaged in official duties;

(b) Law enforcement personnel, except that subsection (1)(b) of this section does apply to a law enforcement officer who is present at a courthouse building as a party to an antiharassment protection order action or a domestic violence protection order action under chapter 7.105 or 10.99 RCW, or an action under Title 26 RCW where any party has alleged the existence of domestic violence as defined in RCW 7.105.010; or

(c) Security personnel while engaged in official duties.

(8) Subsection (1)(a), (b), (c), and (e) of this section does not apply to correctional personnel or community corrections officers, as long as they are employed as such, who have completed government-sponsored law enforcement firearms training, except that subsection (1)(b) of this section does apply to a correctional employee or community corrections officer who is present at a courthouse building as a party to an antiharassment protection order action or a domestic violence protection order action under chapter 7.105 or 10.99 RCW, or an action under Title 26 RCW where any party has alleged the existence of domestic violence as defined in RCW 7.105.010.

(9) Subsection (1)(a) of this section does not apply to a person licensed pursuant to RCW 9.41.070 who, upon entering the place or facility, directly and promptly proceeds to the administrator of the facility or the administrator's designee and obtains written permission to possess the firearm while on the premises or checks his or her firearm. The person may reclaim the firearms upon leaving but must immediately and directly depart from the place or facility.

(10) Subsection (1)(c) of this section does not apply to any administrator or employee of the facility or to any person who, upon entering the place or facility, directly and promptly proceeds to the administrator of the facility or the administrator's designee and obtains written permission to possess the firearm while on the premises.

(11) Subsection (1)(d) of this section does not apply to the proprietor of the premises or his or her employees while engaged in their employment.

(12) Government-sponsored law enforcement firearms training must be training that correctional personnel and community corrections officers receive as part of their job requirement and reference to such training does not constitute a mandate that it be provided by the correctional facility.

(13) Any person violating subsection (1) or (2) of this section is guilty of a gross misdemeanor.

(14) "Weapon" as used in this section means any firearm, explosive as defined in RCW 70.74.010, or instrument or weapon listed in RCW 9.41.250.

Section 9.41.305. Open carry of weapons prohibited on state capitol grounds and municipal buildings.

(1) Unless exempt under subsection (3) of this section, it is unlawful for any person to knowingly open carry a firearm or other weapon, as defined in RCW 9.41.300(1)(b), while knowingly being in the following locations:

(a) The west state capitol campus grounds; any buildings on the state capitol grounds; any state legislative office; or any location of a public state legislative hearing or meeting during the hearing or meeting; or

(b) City, town, county, or other municipality buildings used in connection with meetings of the governing body of the city, town, county, or other municipality, or any location of a public meeting or hearing of the governing body of a city, town, county, or other municipality during the hearing or meeting.

(2) For the purposes of this section:

(a) "Buildings on the state capitol grounds" means the following buildings located on the state capitol grounds, commonly known as Legislative, Temple of Justice, John L. O'Brien, John A. Cherberg, Irving R. Newhouse, Joel M. Pritchard, Helen Sommers, Insurance, Governor's Mansion, Visitor Information Center, Carlyon House, Ayer House, General Administration, 1500 Jefferson, James M. Dolliver, Old Capitol, Capitol Court, State Archives, Natural Resources, Office Building #2, Highway-License, Transportation, Employment Security, Child Care Center, Union Avenue, Washington Street, Professional Arts, State Farm, and Powerhouse Buildings.

(b) "Governing body" has the same meaning as in RCW 42.30.020.

(c) "West state capitol campus grounds" means areas of the campus south of Powerhouse Rd. SW, south of Union Avenue SW as extended westward to Powerhouse Rd. SW, west of Capitol Way, north of 15th Avenue SW between Capitol Way S. and Water Street SW, west of Water Street between 15th Avenue SW and 16th Avenue SW, north of 16th Avenue SW between Water Street SW and the east banks of Capitol Lake, and east of the banks of Capitol Lake.

(3) Duly authorized federal, state, or local law enforcement officers or personnel are exempt from this section when carrying a firearm or other weapon in conformance with their employing agency's policy. Members of the armed forces of the United States or the state of Washington are exempt from this section when carrying a firearm or other weapon in the discharge of official duty or traveling to or from official duty.

(4) A person violating this section is guilty of a misdemeanor. Second and subsequent violations of this section are a gross misdemeanor.

(5) Nothing in this section applies to the lawful concealed carry of a firearm by a person who has a valid concealed pistol license.

(6) A city, town, county, or other municipality must post signs providing notice of the restrictions on possession of firearms and other weapons under this section at any locations specified in subsection (1)(b) of this section.

Section 9.41.325. Undetectable or untraceable firearms — Penalties.

(1) No person may knowingly or recklessly allow, facilitate, aid, or abet the manufacture or assembly of an undetectable firearm or untraceable firearm by a person who: (a) Is ineligible under state or federal law to possess a firearm; or (b) has signed a valid voluntary waiver of firearm rights that has not been revoked under RCW 9.41.350. For purposes of this provision, the failure to conduct a background check as provided in RCW 9.41.113 shall be prima facie evidence of recklessness.

(2)

(a) Any person violating this section is guilty of a gross misdemeanor punishable under chapter 9A.20 RCW.

(b) If a person previously has been found guilty under this section, then the person is guilty of a class C felony punishable under chapter 9A.20 RCW for each subsequent knowing violation of this section. A person is guilty of a separate offense for each and every firearm to which this section applies.

Section 9.41.326. Untraceable firearms — Exceptions — Penalties.

- (1)** No person may manufacture, cause to be manufactured, assemble, or cause to be assembled an untraceable firearm.
- (2)** After March 10, 2023, no person may knowingly or recklessly possess, transport, or receive an untraceable firearm, unless the party possessing, transporting, or receiving the untraceable firearm is a law enforcement agency or a federal firearms importer, federal firearms manufacturer, or federal firearms dealer.
- (3)** No person may sell, offer to sell, transfer, or purchase an untraceable firearm.
- (4)** Subsections (2) and (3) of this section do not apply to any firearm that:
 - (a)** Has been rendered permanently inoperable;
 - (b)** Is an antique firearm, as defined in 18 U.S.C. Sec. 921(a)(16);
 - (c)** Was manufactured before 1968; or
 - (d)** Has been imprinted by a federal firearms dealer or other federal licensee authorized to provide marking services as provided for in RCW 9.41.328.
- (5)**
 - (a)** Any person who violates this section commits a civil infraction and shall be assessed a monetary penalty of \$500.
 - (b)** If a person previously has been found to have violated this section, then the person is guilty of a misdemeanor punishable under chapter 9A.20 RCW for each subsequent violation of this section.
 - (c)** If a person previously has been found to have violated this section two or more times, then the person is guilty of a gross misdemeanor punishable under chapter 9A.20 RCW for each subsequent violation of this section.
 - (d)** If a person violates this section by manufacturing, causing to be manufactured, assembling, causing to be assembled, possessing, transporting, receiving, selling, offering to sell, transferring, or purchasing three or more untraceable firearms at a time, then the person is guilty of a gross misdemeanor punishable under chapter 9A.20 RCW for each violation of this section.
 - (e)** A person commits a separate violation of this section for each and every firearm to which this section applies.

Section 9.41.327. Unfinished frames or receivers — Exceptions — Penalties.

- (1)** After March 10, 2023, no person may knowingly or recklessly possess, transport, or receive an unfinished frame or receiver, unless: (a) The party possessing, transporting, or receiving the unfinished frame or receiver is a law enforcement agency or a federal firearms importer, federal firearms manufacturer, or federal firearms dealer; or (b) the unfinished frame or receiver has been imprinted with a serial number issued by a federal firearms importer, federal firearms manufacturer, or federal firearms dealer.
- (2)** No person may sell, offer to sell, transfer, or purchase an unfinished frame or receiver, unless: (a) The party purchasing the unfinished frame or receiver is a federal firearms importer, federal firearms manufacturer, or federal firearms dealer; or (b) the unfinished frame or receiver has been imprinted with a serial number issued by a federal firearms importer, federal firearms manufacturer, or federal firearms dealer.
- (3)** Subsection (1) of this section does not apply to any unfinished frame or receiver that has been imprinted by a federal firearms dealer or other federal licensee authorized to provide marking services as provided for in RCW 9.41.328.
- (4)**
 - (a)** Any person who violates this section commits a civil infraction and shall be assessed a monetary penalty of \$500.
 - (b)** If a person previously has been found to have violated this section, then the person is guilty of a misdemeanor punishable under chapter 9A.20 RCW for each subsequent violation of this section.

(c) If a person previously has been found to have violated this section two or more times, then the person is guilty of a gross misdemeanor punishable under chapter 9A.20 RCW for each subsequent violation of this section.

(d) If a person violates this section by possessing, transporting, receiving, selling, offering to sell, transferring, or purchasing three or more unfinished frames or receivers at a time, then the person is guilty of a gross misdemeanor punishable under chapter 9A.20 RCW for each violation of this section.

(e) A person commits a separate violation of this section for each and every unfinished frame or receiver to which this section applies.

Section 9.41.328. Imprinting a firearm or unfinished frame or receiver.

(1) A federal firearms dealer or other federal licensee authorized to provide marking services for firearms may imprint a firearm or unfinished frame or receiver with a serial number.

(2) The firearm or unfinished frame or receiver shall be imprinted with the licensee's abbreviated federal firearms license number as a prefix (which is the first three and last five digits) followed by a hyphen, and then followed by a number as a suffix, e.g., "12345678-(number)." The serial number must be placed in a manner that accords with the requirements under federal law for affixing serial numbers to firearms, including the requirements that the serial number be at the minimum size and depth, and not susceptible to being readily obliterated, altered, or removed.

(3) The serial number must not duplicate any serial numbers placed by the federal firearms dealer or other federal licensee on any other firearm or unfinished frame or receiver.

(4) Whenever a federal firearms dealer or other federal licensee imprints a firearm or unfinished frame or receiver with a serial number, the licensee shall retain records that accord with the requirements under federal law in the case of the sale of a firearm.

Section 9.41.360. Unsafe storage of a firearm.

(1) A person who stores or leaves a firearm in a location where the person knows, or reasonably should know, that a prohibited person may gain access to the firearm:

(a) Is guilty of community endangerment due to unsafe storage of a firearm in the first degree if a prohibited person obtains access and possession of the firearm and causes personal injury or death with the firearm; or

(b) Is guilty of community endangerment due to unsafe storage of a firearm in the second degree if a prohibited person obtains access and possession of the firearm and:

(i) Causes the firearm to discharge;

(ii) Carries, exhibits, or displays the firearm in a public place in a manner that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons; or

(iii) Uses the firearm in the commission of a crime.

(2)

(a) Community endangerment due to unsafe storage of a firearm in the first degree is a class C felony punishable according to chapter 9A.20 RCW.

(b) Community endangerment due to unsafe storage of a firearm in the second degree is a gross misdemeanor punishable according to chapter 9A.20 RCW.

(3) Subsection (1) of this section does not apply if:

(a) The firearm was in secure gun storage, or secured with a trigger lock or similar device that is designed to prevent the unauthorized use or discharge of the firearm;

(b) In the case of a person who is a prohibited person on the basis of the person's age, access to the firearm is with the lawful permission of the prohibited person's parent or guardian and supervised by an adult, or is in accordance with RCW 9.41.042;

(c) The prohibited person obtains, or obtains and discharges, the firearm in a lawful act of self-defense; or

(d) The prohibited person's access to the firearm was obtained as a result of an unlawful entry, provided that the unauthorized access or theft of the firearm is reported to a local law enforcement agency in the jurisdiction in which the unauthorized access or theft occurred within five days of the time the victim of the unlawful entry knew or reasonably should have known that the firearm had been taken.

(4) If a death or serious injury occurs as a result of an alleged violation of subsection (1)(a) of this section, the prosecuting attorney may decline to prosecute, even though technically sufficient evidence to prosecute exists, in situations where prosecution would serve no public purpose or would defeat the purpose of the law in question.

(5) For the purposes of this section, “**prohibited person**” means a person who is prohibited from possessing a firearm under state or federal law.

(6) Nothing in this section mandates how or where a firearm must be stored.

Section 9.41.365. Firearm security and storage — Requirements for dealers.

(1) When selling or transferring any firearm, every dealer shall offer to sell or give the purchaser or transferee a secure gun storage device, or a trigger lock or similar device that is designed to prevent the unauthorized use or discharge of the firearm.

(2) Every store, shop, or sales outlet where firearms are sold, that is registered as a dealer in firearms with the department of licensing, shall conspicuously post, in a prominent location so that all patrons may take notice, the following warning sign, to be provided by the department of licensing, in block letters at least one inch in height:

WARNING: YOU MAY FACE CRIMINAL PROSECUTION IF YOU STORE OR LEAVE AN UNSECURED FIREARM WHERE A PERSON WHO IS PROHIBITED FROM POSSESSING FIREARMS CAN AND DOES OBTAIN POSSESSION.

(3) Every store, shop, or sales outlet where firearms are sold that is registered as a dealer in firearms with the department of licensing, upon the sale or transfer of a firearm, shall deliver a written warning to the purchaser or transferee that states, in block letters not less than one-fourth inch in height:

WARNING: YOU MAY FACE CRIMINAL PROSECUTION IF YOU STORE OR LEAVE AN UNSECURED FIREARM WHERE A PERSON WHO IS PROHIBITED FROM POSSESSING FIREARMS CAN AND DOES OBTAIN POSSESSION.

(4) Every person who violates this section is guilty of a class 1 civil infraction under chapter 7.80 RCW and may be fined up to two hundred fifty dollars. However, no such fines may be levied until thirty days have expired from the time warning signs required under subsection (2) of this section are distributed by the department of licensing.

Section 9.41.390. Assault weapons—Manufacturing, importing, distributing, selling prohibited—Exceptions—Penalty.

(1) No person in this state may manufacture, import, distribute, sell, or offer for sale any assault weapon, except as authorized in this section.

(2) Subsection (1) of this section does not apply to any of the following:

(a) The manufacture, importation, distribution, offer for sale, or sale of an assault weapon by a licensed firearms manufacturer for the purposes of sale to any branch of the armed forces of the United States or the state of Washington, or to any law enforcement agency for use by that agency or its employees for law enforcement purposes, or to a person who does not reside in this state;

(b) The importation, distribution, offer for sale, or sale of an assault weapon by a dealer that is properly licensed under federal and state law for the purpose of sale to any branch of the armed forces of the United States or the state of Washington, or to a law enforcement agency in this state for use by that agency or its employees for law enforcement purposes;

(c) The distribution, offer for sale, or sale of an assault weapon to or by a dealer that is properly licensed under federal and state law where the dealer acquires the assault weapon from an individual legally authorized to possess or transfer the assault weapon for the purpose of selling or transferring the assault weapon to a person who does not reside in this state. The purpose of this section is to allow individuals who no longer wish to own an assault weapon to sell their assault weapon and is not intended to allow Washington dealers to purchase assault weapons wholesale for the purpose of selling a stock or inventory of assault weapons online or in person to nonresidents;

(d) The out-of-state sale or transfer of the existing stock of assault weapons owned by a licensed dealer that was acquired prior to January 1, 2023, for the limited period of 90 days after April 25, 2023; or

(e) The receipt of an assault weapon by a person who, on or after April 25, 2023, acquires possession of the assault weapon by operation of law upon the death of the former owner who was in legal possession of the assault weapon, provided the person in possession of the assault weapon can establish such provenance. Receipt under this subsection (2)(e) is not "distribution" under this chapter. A person who legally receives an assault weapon under this subsection (2)(e) may not sell or transfer the assault weapon to any other person in this state other than to a licensed dealer, to a federally licensed gunsmith for the purpose of service or repair, or to a law enforcement agency for the purpose of permanently relinquishing the assault weapon.

(3) For the purposes of this section, "law enforcement agency" means any (a) general authority Washington law enforcement agency as defined in RCW [10.93.020](#); (b) limited authority Washington law enforcement agency as defined in RCW [10.93.020](#); or (c) equivalent federal, state, or local law enforcement agency in the United States.

(4) A person who violates this section is guilty of a gross misdemeanor.

Section 9.41.800. Surrender of weapons or licenses – Prohibition on future possession or licensing.

(1) Any court when entering an order authorized under chapter 7.105 RCW, RCW 9A.46.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.26B.020, or 26.26A.470 shall, upon a showing by a preponderance of the evidence, that a party has: Used, displayed, or threatened to use a firearm or other dangerous weapon in a felony, or is ineligible to possess a firearm under the provisions of RCW 9.41.040:

- (a)** Require that the party immediately surrender all firearms and other dangerous weapons;
- (b)** Require that the party immediately surrender any concealed pistol license issued under RCW 9.41.070;
- (c)** Prohibit the party from accessing, obtaining, or possessing any firearms or other dangerous weapons;
- (d)** Prohibit the party from obtaining or possessing a concealed pistol license.

(2) During any period of time that the party is subject to a court order issued under chapter 7.105, 9A.46, 10.99, 26.09, 26.26A, or 26.26B RCW that:

(a) Was issued after a hearing of which the party received actual notice, and at which the party had an opportunity to participate, whether the court then issues a full order or reissues a temporary order. If the court enters an agreed order by the parties without a hearing, such an order meets the requirements of this subsection;

(b) Restrains the party from harassing, stalking, or threatening an intimate partner of the party, the protected person, or child of the intimate partner, party, or protected person, or engaging in other conduct that would place an intimate partner or protected person in reasonable fear of bodily injury to the intimate partner, protected person, or child; and

(c)

(i) Includes a finding that the party represents a credible threat to the physical safety of the intimate partner, protected person, or child; or

(ii) By its terms, explicitly prohibits the use, attempted use, or threatened use of physical force against the intimate partner, protected person, or child that would reasonably be expected to cause bodily injury, the court shall:

- (A)** Require that the party immediately surrender all firearms and other dangerous weapons;
- (B)** Require that the party immediately surrender a concealed pistol license issued under RCW 9.41.070;
- (C)** Prohibit the party from accessing, having in his or her custody or control, possessing, purchasing, receiving, or attempting to purchase or receive, any firearms or other dangerous weapons; and
- (D)** Prohibit the party from obtaining or possessing a concealed pistol license.

(3) The court may order temporary surrender and prohibit the purchase of all firearms and other dangerous weapons, and any concealed pistol license, without notice to the other party if it finds, on the basis of the moving affidavit or other evidence, that irreparable injury could result if an order is not issued until the time for response has elapsed.

(4) In addition to the provisions of subsections (1) and (3) of this section, the court may enter an order requiring a party to comply with the provisions in subsection (1) of this section if it finds that the possession of a firearm or other dangerous weapon by any party presents a serious and imminent threat to public health or safety, or to the health or safety of any individual.

(5) The requirements of subsections (1) and (4) of this section may be for a period of time less than the duration of the order.

(6) The court shall require the party to surrender all firearms and other dangerous weapons in his or her immediate possession or control or subject to his or her immediate possession or control, and any concealed pistol license issued under RCW 9.41.070, to the local law enforcement agency. Law enforcement officers shall use law enforcement databases to assist in locating the party in situations where the protected person does not know where the party lives or where there is evidence that the party is trying to evade service.

(7) If the court enters a protection order, restraining order, or no-contact order that includes an order to surrender firearms, dangerous weapons, and any concealed pistol license under this section:

- (a)** The order must be served by a law enforcement officer; and

(b) Law enforcement must immediately ensure entry of the order to surrender and prohibit weapons and the revocation of any concealed pistol license is made into the appropriate databases making the party ineligible to possess firearms and a concealed pistol license. Section 9.41.801. Surrender of weapons or licenses – Ensuring compliance.

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

(2) A law enforcement officer serving a protection order, no-contact order, or restraining order that includes an order to surrender all firearms, dangerous weapons, and a concealed pistol license under RCW 9.41.800 shall inform the respondent that the order is effective upon service and the respondent must immediately surrender all firearms and dangerous weapons in the respondent's custody, control, or possession and any concealed pistol license issued under RCW 9.41.070, and conduct any search permitted by law for such firearms, dangerous weapons, and concealed pistol license. The law enforcement officer shall take possession of all firearms, dangerous weapons, and any concealed pistol license belonging to the respondent that are surrendered, in plain sight, or discovered pursuant to a lawful search. If the order is entered in open court and the respondent appears in person, the respondent shall be provided a copy and further service is not required. If the respondent refuses to receive a copy, an agent of the court may indicate on the record that the respondent refused to receive a copy of the order. If the respondent appears remotely for the hearing, or leaves the hearing before a final ruling is issued or order signed, and the court believes the respondent has sufficient notice such that additional service is not necessary, the order must recite that the respondent appeared before the court, has actual notice of the order, the necessity for further service is waived, and proof of service of the order is not necessary. The court shall enter the service and receipt into the record. A copy of the order and service shall be transmitted immediately to law enforcement. The respondent must immediately surrender all firearms, dangerous weapons, and any concealed pistol license in a safe manner to the control of the local law enforcement agency on the day of the hearing at which the respondent was present in person or remotely. Alternatively, if personal service by a law enforcement officer is not possible, and the respondent did not appear in person or remotely at the hearing, the respondent shall surrender the firearms in a safe manner to the control of the local law enforcement agency within 24 hours of being served with the order by alternate service.

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

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

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

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

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

(c) The requirements of RCW 9.41.345 are met.

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

(7)

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

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

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

(d)

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

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

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

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

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

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

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

(8)

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

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

(9)

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

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

(10) All law enforcement agencies must have policies and procedures to provide for the acceptance, storage, and return of firearms, dangerous weapons, and concealed pistol licenses that a court requires must be surrendered under [RCW 9.41.800](#). A law enforcement agency holding any firearm or concealed pistol license that has been surrendered under [RCW 9.41.800](#) shall comply with the provisions of [RCW 9.41.340](#) and [9.41.345](#) before the return of the firearm or concealed pistol license to the owner or individual from whom it was obtained.

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

Title 9A – Washington Criminal Code Chapter 9A.56 – Theft and Robbery

Section 9A.56.300. Theft of a firearm.

(1) A person is guilty of theft of a firearm if he or she commits a theft of any firearm.

(2) This section applies regardless of the value of the firearm taken in the theft.

(3) Each firearm taken in the theft under this section is a separate offense.

(4) The definition of "theft" and the defense allowed against the prosecution for theft under RCW 9A.56.020 shall apply to the crime of theft of a firearm.

(5) As used in this section, "**firearm**" means any firearm as defined in RCW 9.41.010.

(6) Theft of a firearm is a class B felony.

Section 9A.56.310. Possessing a stolen firearm.

(1) A person is guilty of possessing a stolen firearm if he or she possesses, carries, delivers, sells, or is in control of a stolen firearm.

(2) This section applies regardless of the stolen firearm's value.

(3) Each stolen firearm possessed under this section is a separate offense.

(4) The definition of "possessing stolen property" and the defense allowed against the prosecution for possessing stolen property under RCW 9A.56.140 shall apply to the crime of possessing a stolen firearm.

(5) As used in this section, "**firearm**" means any firearm as defined in RCW 9.41.010.

(6) Possessing a stolen firearm is a class B felony.

Title 71 – Mental Illness
Chapter 71.05 Mental Illness

Section 71.05.182. Six-month suspension of right to possess firearms after detention for evaluation and treatment of person who presents likelihood of serious harm as a result of behavioral health disorder, substance use disorder, or both — Automatic restoration of right at expiration of six-month period.

(1) A person who under RCW 71.05.150 or 71.05.153 has been detained at a facility for a period of not more than one hundred twenty hours for the purpose of evaluation and treatment on the grounds that the person presents a likelihood of serious harm, but who has not been subsequently committed for involuntary treatment under RCW 71.05.240, may not have in his or her possession or control any firearm for a period of six months after the date that the person is detained.

(2) Before the discharge of a person who has been initially detained under RCW 71.05.150 or 71.05.153 on the grounds that the person presents a likelihood of serious harm, but has not been subsequently committed for involuntary treatment under RCW 71.05.240, the designated crisis responder shall inform the person orally and in writing that:

(a) He or she is prohibited from possessing or controlling any firearm for a period of six months;

(b) He or she must immediately surrender, for the six-month period, any concealed pistol license and any firearms that the person possesses or controls to the sheriff of the county or the chief of police of the municipality in which the person is domiciled;

(c) After the six-month suspension, the person's right to control or possess any firearm or concealed pistol license shall be automatically restored, absent further restrictions imposed by other law; and

(d) Upon discharge, the person may petition the superior court to have his or her right to possess a firearm restored before the six-month suspension period has elapsed by following the procedures provided in RCW 9.41.047(3).

(3) The designated crisis responder shall notify the sheriff of the county or the chief of police of the municipality in which the person is domiciled of the six-month suspension.

(4) A law enforcement agency holding any firearm that has been surrendered pursuant to this section shall, upon the request of the person from whom it was obtained, return the firearm at the expiration of the six-month suspension period, or prior to the expiration of the six-month period if the person's right to possess firearms has been restored by the court under RCW 9.41.047. The law enforcement agency, prior to returning the firearm, shall verify with the prosecuting attorney's office or designated crisis responders that the person has not been previously or subsequently committed for involuntary treatment under RCW 71.05.240. The law enforcement agency must comply with the provisions of RCW 9.41.345 when returning a firearm pursuant to this section.

(5) Any firearm surrendered pursuant to this section that remains unclaimed by the lawful owner shall be disposed of in accordance with the law enforcement agency's policies and procedures for the disposal of firearms in police custody.

Airway Heights Code of Ordinances

Current through Ordinance C-986, passed June 21, 2022.

**Title 9 – Public Peace, Morals and Welfare
Chapter 9.32 – Minors**

Section 9.32.010. Contributing to the delinquency of a minor.

A. Every person is guilty of contributing to the delinquency of a minor who:

4. Sells or gives, or permits to be sold or given to any person under the age of 18, tobacco in any form, cigarette paper or wrapper, or any revolver or pistol.

Beaux Arts Village Code of Ordinances

Current through Ordinance 457, passed December 14, 2021.

**Title 9 – Criminal Code
Chapter 9.05 – Firearms Fireworks**

Section 9.05.020. Possession of firearms by minors restricted.

It shall be unlawful for any person under the age of 17 years, unless accompanied by a parent or lawful guardian, to have in his possession while on the streets, roads or alleys of the town of Beaux Arts Village any gun, pistol, revolver, air rifle, air gun, air pistol, spring gun or any other similar weapon, whether such be classified as a toy or not, which impels with force a metal pellet of any kind, or any metal or sharp-pointed arrow.

Bellingham Code of Ordinances

Current through Ordinance 2022-07-020, passed July 25, 2022.

**Title 6 – Business Taxes, Licenses, and Regulations
Chapter 6.34 – Firearms Retail Establishments**

Section 6.34.010. Firearms retail establishments regulatory license and requirements.

A. A firearms retail establishments regulatory license is required for all firearms retail establishments established within the city of Bellingham after the effective date of the ordinance codified in this chapter, and for existing firearms retail establishments relocating their business after the effective date of the ordinance codified in this chapter. In order to conduct business lawfully within city limits, a firearms retail establishment established or relocated after the effective date of the ordinance codified in this chapter selling firearms at retail shall obtain a regulatory license, the conditions of which include in total signing an affidavit, on a form provided by the city, acknowledging that the recipient is aware of the existence of a 500-foot zone around schools within which it is prohibited to locate a retail establishment selling firearms, and that the location where a licensee proposes to locate such an establishment is not within such a zone. The RCW 9.41.300 explicitly enables municipalities to prohibit the sale of firearms within 500 feet of a school. The conditions regulating the location of such stores are stated in additional detail in subsection (B) of this section.

B. A 500-foot zone around schools is hereby created wherein the location and operation of retail establishments selling firearms is prohibited. No commercial retail establishment shall be located within a distance of 500 feet from the outside property line of a school if the business offers firearms for sale, has a storefront, has hours during which it is open for business, and posts advertisements or signs observable to passersby that firearms are available for sale, unless such establishment was lawfully conducting business at the same location as of the effective date of the ordinance codified in this chapter, or the school was established after the firearms retail establishment was licensed at that location. If conditions and procedures apply allowing for lapse of grandfather status to a business selling firearms that is located within 500 feet of a school, these shall be consistent with conditions or procedures outlined in BMC 20.14.030 for a lapse in grandfather status for other types of business in the city.

C. A retail establishment with an active application for a firearms dealer license that is complete and in process with the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives on the effective date of the ordinance codified in this chapter shall be considered an existing firearms retail establishment for purposes of this chapter.

Section 6.34.020. Definitions specific to this chapter.

“School” is defined as an institution of learning, primary or secondary, whether public or private, which offers instruction in those courses of study required by the Washington Education Code or which is maintained pursuant to standards required by the State Board of Education.

Blaine Code of Ordinances
Current through Ordinance 2985, passed August 8, 2022.

Title 9 – Public Peace, Morals and Welfare
Chapter 9.32 – Weapons
Article I – General Provisions

Section 9.32.010. Definitions.

The following words and phrases, as used in this chapter, shall be construed as follows:

B. “Crime of violence” means any of the following crimes or an attempt to commit any of the same: murder, manslaughter, rape, mayhem, first-degree assault, robbery, burglary and kidnapping.

C. “Fugitive from justice” means a person who, having committed a crime, flees from the jurisdiction where it was committed to evade arrest.

D. “Law enforcement officer” means any person who, by virtue of his office or public employment, is vested by law with a duty to maintain public order or to make arrests for offenses.

E. “Machine gun” means any firearm or weapon known as a “machine gun,” “mechanical rifle,” “submachine gun” and/or any other weapon, 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 such weapon, mechanism or instrument and fired therefrom at a rate of five or more shots per second.

F. “Pistol” means any firearm or other weapon for the purpose of discharging a projectile by means of compressed air, chemical combustion or otherwise and having a barrel less than 12 inches in length, but shall not include antique pistols or revolvers manufactured prior to 1889 and held as collector’s items.

Article II – Pistols

Section 9.32.090. Delivery to those under 21 years.

No person shall deliver a pistol to any person under the age of 21 or to one whom he has reasonable cause to believe has been convicted of a crime of violence or of drug addiction or of habitual drunkenness or has been confined to a mental institution.

Section 9.32.100. Sales – Identification and report.

It is unlawful for any merchant or secondhand dealer, or any clerk, agent or employee of any merchant or secondhand dealer, to sell, give away or dispose of any pistol to any person at retail, unless such person is personally known to the seller or presents clear evidence of his identity, nor without completing a true record in triplicate of every pistol sold or disposed of. Such record 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 has never been convicted in this state or elsewhere of a crime of violence, or of drug addiction or habitual drunkenness, and has never been confined to a mental institution. One copy shall, within six hours, be sent by registered mail to the chief of police of the city who shall, within 72 hours, exclusive of Sundays and holidays, investigate the information contained in the record and report his findings to the merchant or secondhand dealer.

Section 9.32.110. Sales – Delivery.

It is unlawful for any merchant or secondhand dealer to deliver any pistol to any purchaser until the merchant or secondhand dealer has received a report from the chief of police that the purchaser is not a fugitive from justice and that the purchaser has never been convicted in this state or elsewhere of a crime of violence, or of drug addiction or of habitual drunkenness and has never been confined to a mental institution; provided, that if such merchant or secondhand dealer does not receive such report from the chief of police within 72 hours, exclusive of Sundays and holidays, after he has mailed a copy of the record to the chief of police as required by BMC 9.32.100, then such merchant or secondhand dealer may deliver the pistol to the purchaser; provided further, that this section shall not apply to sales at wholesale, or to sales to persons exhibiting a valid license to carry a pistol concealed that is issued pursuant to RCW 9.41.070, or to sales to law enforcement officers.

Section 9.32.120. Sales – Prohibited purchasers.

It is unlawful for any person who is a fugitive from justice or who has been convicted in this state or elsewhere of a crime of violence, or of drug addiction or of habitual drunkenness, or who has been confined to a mental institution, to purchase a pistol in this city, and it is further unlawful for any such person to fail to disclose such information when applying for the purchase of a pistol.

Section 9.32.130. Sales – Regulations and records.

A. It is unlawful to sell a pistol in violation of any provisions of RCW 9.41.160.

B. No pistol shall be sold under any circumstances unless the purchaser is personally known to the seller or presents clear evidence of his identity.

C. No seller shall deliver a pistol to the purchaser thereof until 72 hours have elapsed from the time of the application for the purchase thereof as provided in this section and, when delivered, the pistol shall be securely wrapped and shall be unloaded.

D. At the time of applying for the purchase of a pistol the purchaser shall sign in duplicate and deliver to the seller an application containing his full name, address, occupation, place of birth and the date and hour of the application; and a description of the weapon, including the make, model, caliber and manufacturer's number; and a statement that he has never been convicted in this state or elsewhere of a crime of violence, drug addiction or habitual drunkenness, and is not legally judged to be of unsound mind. The seller shall, by the end of the business day, sign and attach his address and deliver the original of such application to the chief of police, and the duplicate duly signed by the seller shall, within seven days, be sent by him with his address to the Director of Licenses of the state; the triplicate he shall retain for six years. The chief of police shall maintain a file containing the original of the application to purchase a pistol.

E. This section shall not apply to sales at wholesale.

Section 9.32.140. Sales – License.

No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell or transfer, any pistol without being licensed as provided by law under the requirements of RCW 9.41.110.

Section 9.32.150. As security for loans.

No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge of a pistol. Any licensed dealer receiving a pistol as a deposit or pledge for a loan shall keep such records and make such reports as are provided by law for pawnbrokers and secondhand dealers as provided by Chapter 10.60 RCW. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person.

Section 9.32.160. Changing identifying marks.

No person shall change, alter, remove or obliterate the name of the maker, model, manufacturer's number or other mark of identification of any pistol. Possession of any pistol upon which any such mark has been changed, altered, removed or obliterated shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same.

Section 9.32.170. Giving false information.

No person shall, in purchasing or otherwise securing delivery of a pistol, or in applying for a license to carry a pistol, give false information or offer false evidence of his identity.

Section 9.32.180. Curiosities or ornaments exempted.

This chapter shall not apply to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

Article III – Machine Guns

Section 9.32.190. Unlawful.

It is unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or to have in possession or under control any machine gun or any part thereof capable of use for assembling or repairing any machine gun; provided, however, that such limitation shall not apply to any police officer in the discharge of official duty, or to any officer or member of the Armed Forces of the United States or the state.

Bonney Lake Code of Ordinances

Current through Ordinance 1677, and legislation passed through August 23, 2022.

Title 18 – Zoning

Chapter 18.29 – E Eastown District

Section 18.29.040. Performance standards.

The following special requirements and performance standards shall apply to properties located in this zoning classification:

D. Assembly or processing of previously prepared materials in a fully enclosed building, provided:

1. No explosives, ammunition, blasting agents or fireworks are stored or manufactured in this district;

Buckley Code of Ordinances

Current through Ordinance 13-22, passed June 28, 2022.

Title 10 – Public Peace, Safety and Morals Chapter 10.40 – Weapons

Section 10.40.050. Delivery restricted.

No person shall deliver a pistol to any person under the age of 21 or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

Section 10.40.060. Selling.

(1) In addition to the other requirements set forth in this chapter, no seller shall deliver a pistol to the purchaser thereof until 72 hours have elapsed from the time of the application for the purchase thereof as provided in this section, and, when delivered, said pistol shall be securely wrapped and shall be unloaded.

(2) At the time of the purchase of a pistol, the purchaser shall sign in triplicate and deliver to the seller an application containing his full name, address, occupation, place of birth, and the date and hour of the application; and a description of the weapon including the make, model, caliber and manufacturer's number; and a statement that he has never been convicted of a crime of violence, drug addiction or habitual drunkenness, or never has been legally judged to be of unsound mind. The seller shall, by the end of the business day, sign and attach his address and deliver the original of such application to the police chief or the sheriff of the county of which the seller is a resident. The seller shall deliver the pistol to the purchaser following 72 hours thereafter unless the seller is notified in writing by the police chief or the sheriff of the county, whichever is applicable, denying the purchaser's application to purchase and the grounds thereof. The application shall not be denied unless the purchaser has been convicted of a crime of violence, drug addiction, or habitual drunkenness, or is legally judged to be of unsound mind. The chief of police or the county sheriff shall maintain a file containing the original of the application to purchase a pistol.

Section 10.40.070. Pistol dealers to be licensed.

No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed with the state.

Section 10.40.080. Certain transfer forbidden.

No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge of a pistol. Any licensed dealer receiving a pistol as a deposit or pledge for a loan shall keep such records and make such reports as are provided by law for pawnbrokers and secondhand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person.

Section 10.40.090. Altering pistol identification.

No person shall change, alter, remove, or obliterate the name of the make, model, manufacturer's number, or other mark of identification on any pistol. Possession of any pistol upon which any such mark has been changed, altered, removed, or obliterated shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same.

Section 10.40.100. False information in obtaining pistol.

No person shall, in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same, give false information or offer false evidence of his identity.

Section 10.40.110. Antique pistols excepted.

This chapter shall not apply to inoperable antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

Chapter 10.60 – Crimes by and against juveniles

Section 10.60.080. Weapons on schoolgrounds.

(1) It is unlawful for an elementary or secondary school person under the age of 21 knowingly to carry onto public or private elementary or secondary school premises:

(a) Any firearm;

(2) Any such person violating subsection (1) of this section is guilty of a gross misdemeanor.

(3) Subsection (1) of this section does not apply to:

(a) Any person of a private military academy; or

(b) Any person engaged in military activities sponsored by the federal or state governments while engaged in official duties; or

(c) Any person who is attending a convention or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;

Camas Code of Ordinances

Codified through Ordinance No. 22-012, passed August 1, 2022. (Supp. No. 41)

**Title 9 – Public Peace, Morals and Welfare
Chapter 9.24 – Offenses by or Against Minors
Article IV Firearms**

Section 9.24.130. Use.

Every minor under the age of fourteen years who shall handle or have in his possession or under his control, except while accompanied by or under the immediate charge of his parent or guardian, any firearm of any kind for hunting or target practice or for other purposes, shall be guilty of a misdemeanor. Every person, who shall aid or knowingly permit any such minor to violate the foregoing provision, shall be guilty of a misdemeanor.

Chapter 9.28 – Weapons

Section 9.28.010. Delivery to certain individuals prohibited.

No person shall deliver a pistol to any person under the age of twenty-one or to one who he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, a habitual drunkard, or of unsound mind.

Cheney Code of Ordinances

Codified through Ordinance No. Y-9, passed March 22, 2022. (Supp. No. 19)

**Title 9A – Public Peace and Safety
Chapter 9A.06 – Minors**

Section 9A.06.010. Contributing to the delinquency of a minor.

(a) Every person who:

(5) Sells, or gives, or permits to be sold or given to any person under the age of 18 years, any revolver, or pistol; is guilty of contributing to the delinquency of a minor.

Section 9A.06.030. Use of firearms.

No minor under the age of 14 years shall handle or have in his possession or under his control, except while accompanied by or under the immediate charge of this parent or guardian, any firearm of any kind for hunting or target practice or for any other purpose. Every person violating any of the foregoing provisions, or aiding or knowingly permitting any such minor to violate them, is guilty of a misdemeanor.

Concrete Code of Ordinances

Current through Ordinance 838, passed January 10, 2022.

**Title 19 – Zoning
Chapter 19.33 – CL – Commercial/Light Industry District**

Section 19.33.040. Uses requiring permit.

The following uses may be permitted when a conditional use permit has been issued pursuant to the provisions of Chapter 19.68 CMC:

(8) Sale or repair of firearms;

Chapter 19.36 – TC – Town Center District

Section 19.36.020. Permitted primary uses.

Hereafter, all buildings, structures, or parcels of land shall only be used for the following, unless otherwise provided for in this title:

(29) Retail stores and shops, including department and variety stores, which offer for sale the following and similar related goods:

(bb) Sporting goods; excluding sale or repair of firearms;

Connell Code of Ordinances
Current through Ordinance 1024, passed July 18, 2022.

Title 9 – Peace, Safety and Morals
Chapter 9.28 – Weapons

Section 9.28.010. Definitions.

“**Firearm**” means any kind of a gun or instrument that discharges a bullet, missile or object likely to cause physical injury or death to a person;

Section 9.28.030. Weapons prohibited in public and private establishments.

It is unlawful for any person to enter a tavern, cocktail lounge, public or private school or a municipal court, while carrying on his person or having in his possession any firearm or dangerous weapon, even though that person has in his possession a lawfully issued permit to carry a concealed weapon.

Section 9.28.050. Exceptions.

This chapter shall not apply to any law enforcement officer while on duty or performing law enforcement or public duties in a proper and lawful manner.

Coupeville Code of Ordinances
Codified through Ordinance No. 770, adopted October 26, 2021. (Supp. No. 15)

Title 5 – Business Licenses and Regulations
Chapter 5.06 – Firearms Retail Establishments

Section 5.06.010. Firearms retail establishments regulatory license and requirements.

A. A firearms retail establishment regulatory license is required for all firearms retail establishments established within the Town of Coupeville after the effective date of this chapter and for existing firearms retail establishments relocating their business after the effective date of this chapter. In order to conduct business lawfully within town limits, a firearms retail establishment established or relocated after the effective date of this chapter selling firearms at retail shall obtain a regulatory license, the conditions of which include signing an affidavit, on a form provided by the Town, acknowledging that the recipient is aware of the existence of a one thousand (1,000) foot zone around schools within which it is prohibited to locate a retail establishment selling firearms, and that the location where a licensee proposes to locate such an establishment is not within such a zone. RCW 9.41.300 explicitly enables municipalities to prohibit the sale of firearms within five hundred (500) feet of a school. The conditions regulating the location of such stores are stated in additional detail in subsection B., below.

B. A one thousand (1,000) foot zone around schools is hereby created wherein the location and operation of retail establishments selling firearms is prohibited. No commercial retail establishment shall be located within a distance of one thousand (1,000) feet from the outside property line of a school if the business offers firearms for sale, has a storefront, has hours during which it is open for business, and posts advertisements or signs observable to passersby that firearms are available for sale, unless such establishment was lawfully conducting business at the same location as of the effective date of this chapter, or the school was established after the firearms retail establishment was licensed at that location. If conditions and procedures apply allowing for lapse of grandfather status to a business selling firearms that is located within one thousand (1,000) feet of a school, these shall be consistent with conditions or procedures outlined in CTC 16.10.020 for a lapse in grandfather status for other types of business in the Town.

C. A retail establishment with an active application for a firearms dealer license that is complete and in process with the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives on the effective date of this chapter shall be considered an existing firearms retail establishment for purposes of this chapter.

Section 5.06.020. Definitions specific to this chapter.

“**School**” is defined as an institution of learning, primary or secondary, whether public or private, which offers instruction in those courses of study required by the Washington Education Code or which is maintained pursuant to standards required by the State Board of Education.

Des Moines Code of Ordinances
Current through Ordinance 1759, passed July 14, 2022.

Title 5 – Business Licenses, Taxes, and Regulations
Chapter 5.16 – Secondhand Dealers

Section 5.16.010. Secondhand dealer defined.

“**Secondhand dealer**,” as used in this chapter, is applicable to a person:

- (1) Having a pawnbroker’s license issued by the city and engaging in whole or in part in the purchase, sale, trade, barter, auction, consignment, or exchange of secondhand goods; or
- (2) Engaging in any business in the city, and in connection with that business engaging in the purchase, sale, trade, barter, auction, consignment, or exchange of secondhand goods of the following description:
 - (e) Firearms;

Section 5.16.020. License – Required.

It is unlawful for a person to engage in the business of secondhand dealer or for a person having a pawnbroker’s license issued by the city to conduct any business in the city, without first obtaining a secondhand dealer’s license as provided in this chapter.

Edmonds Code of Ordinances
Current through Ordinance 4262, passed May 24, 2022.

Title 5 – Public Safety and Morals
Chapter 5.24 – Firearms and Dangerous Weapons

Section 5.24.070. Reporting theft or loss of firearm required.

A. If a firearm is lost or stolen, the person who owned or was in possession of the firearm shall report the theft or loss to the Edmonds police department if the loss or theft occurred in Edmonds. The report shall be made within 24 hours after the theft or loss is first discovered, and shall include to the extent known:

1. The firearm’s caliber, make, model, manufacturer, and serial number;
2. Any other distinguishing number or identification mark on the firearm; and
3. The circumstances of the loss or theft, including the date, place, and manner.

B. On receipt of a report of a stolen or lost firearm under this section, the Edmonds police department shall enter into the National Crime Information Center Database the following information, to the extent known:

1. The firearm’s caliber, make, model, manufacturer, and serial number; and
2. Any other distinguishing number or identification mark on the firearm.

C. Any violation of or failure to comply with the provisions of this section shall constitute a civil infraction and shall be punished by a fine not to exceed \$1,000.

D. If a lost or stolen firearm is used by a third party to injure or kill another:

1. The failure to comply with subsection (A) of this section is prima facie evidence of negligence; but
2. The proper use of measures to safely store or keep a firearm, including securing it with a locking device, as defined in ECC 5.26.010(D), properly engaged so as to render such weapon inaccessible or unusable to any person other than the owner or other lawfully authorized user, is an affirmative defense to a claim of negligence. For purposes of this subsection, “**lawfully authorized user**” means any person who:
 - a. Is not in the unlawful possession of a firearm under RCW 9.41.040;
 - b. Is not prohibited from possessing a firearm under any other state or federal law; and
 - c. Has the express permission of the owner to possess and use the firearm.

Chapter 5.26 – Storage of Firearms

Section 5.26.010. Definitions.

For purposes of this chapter, the following definitions apply:

A. “At-risk person” means any person who has made statements or exhibited behavior that indicates to a reasonable person there is a likelihood that the person is at risk of attempting suicide or causing physical harm to oneself or others.

B. “Firearm” means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder, including but not limited to any machine gun, pistol, rifle, short-barreled rifle, short-barreled shotgun, or shotgun as those terms are defined in RCW 9.41.010. “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.

C. “Lawfully authorized user” means any person who:

1. Is not in the unlawful possession of a firearm under RCW 9.41.040; and
2. Is not prohibited from possessing a firearm under any other state or federal law; and
3. Has the express permission of the owner to possess and use the firearm.

D. “Locking device” includes any device listed on the Approved Firearms Safety Devices Compatibility Chart, published by the State of California’s Office of the Attorney General and attached to the ordinance codified in this section as Exhibit A, which is incorporated herein by this reference as if set forth in full, and stored in conjunction with a compatible firearm.

E. “Minor” means a person under 18 years of age who is not authorized under RCW 9.41.042 to possess a firearm, or a person of at least 18 but less than 21 years of age who does not meet the requirements of RCW 9.41.240.

F. “Prohibited person” means any person who is not a lawfully authorized user.

Section 5.26.020. Safe storage of firearms.

It shall be a civil infraction for any person to store or keep any firearm in any premises unless such weapon is secured by a locking device, properly engaged so as to render such weapon inaccessible or unusable to any person other than the owner or other lawfully authorized user.

Notwithstanding the foregoing, for purposes of this section, such weapon shall be deemed lawfully stored or lawfully kept if carried by or under the control of the owner or other lawfully authorized user.

Section 5.26.030. Unauthorized access prevention.

It shall be a civil infraction if any person knows or reasonably should know that a minor, an at-risk person, or a prohibited person is likely to gain access to a firearm belonging to or under the control of that person, and a minor, an at-risk person, or a prohibited person obtains the firearm.

Entiat Code of Ordinances

Current through Ordinance 838, passed May 12, 2022.

Title 18 – Zoning Code

Chapter 18.40 – District Use Chart

Section 18.40.010. Purpose.

A district use chart is established and contained herein as a tool for the purpose of determining the specific uses allowed in each use district. No use shall be allowed in a use district that is not listed in the use chart as either a permitted, accessory or conditional use, unless the administrator determines that an unlisted use is similar to one that is already enumerated in the use chart and may therefore be allowed, subject to the requirements associated with that use and all other applicable provisions of the city of Entiat.

Additional regulations may apply to those properties located within the shoreline master program area, within 200 feet of the ordinary high water mark of the Columbia River or Entiat River, or along State Highway 97A.

Section 18.40.020. District use chart.

The use chart located on the following pages is made a part of this section. The following acronyms apply to the following use chart. If there is nothing located in the district for that use listed, that use is not allowed.

PRM – Permitted Use

ACC – Accessory Use

CUP – Conditional Use Permit

HOP – Home Occupation Permit

MUPD – Mixed Use Planned Development

R-L – Residential Low Density

R-M – Residential Medium Density

R-H – Residential High Density

MTR – Mixed Tourist Recreational

C-H – Highway Commercial

W-T – Waterfront Transition

W-B – Waterfront Business

W-P – Waterfront Park

	R-L	R-M	R-H	MTR	C-H	W-T	W-P	W-B
Commercial Uses								
Gunsmith, Gun Shops					PRM	PRM		

Ephrata Code of Ordinances
Current through Ordinance 22-08, passed June 1, 2022.

Title 19 – Zoning
Chapter 19 – Zoning Code

Section 19.04.050. Manufacturing land use development conditions.

1. The following uses require a conditional use permit:

b. Manufacture of products such as the following:

- (1) Ammunition, explosives, fireworks, matches, photographic film, missile propellants, and similar combustibles.

Everett Code of Ordinances
Current through Ordinance 3894-22, passed August 17, 2022.

Title 9 – Public Peace, Morals and Welfare
Chapter 9.90 – Reporting Theft of Loss of Firearm Required

Section 9.90.010. Reporting theft or loss of firearm required.

A. If a firearm is lost or stolen, the person who owned or was in possession of the firearm shall report the theft or loss to the Everett police department if the loss or theft occurred in Everett. The report shall be made within twenty-four hours after the theft or loss is first discovered, and shall include, to the extent known:

1. The firearm's make (manufacturer), country of manufacture, caliber, model, type, and serial number;
2. Any other descriptors (barrel length, color and finish, cartridge capacity);
3. Any other distinguishing number or identification mark on the firearm; and
4. Information about the loss or theft, including the date lost or stolen, location of loss or theft, and the manner and circumstances of the loss or theft.

B. On receipt of a report of a stolen or lost firearm under this section, the Everett police department shall enter the firearm into the local police records management system, including all descriptive information about the firearm to the extent known. The Everett police department shall also enter the firearm into the National Crime Information Center (NCIC) database whenever the following information is known:

1. The firearm's make (manufacturer), caliber, type, and serial number.

If there is sufficient information for an NCIC entry, the entry will also include the following information, to the extent known:

1. The firearm model; and
2. Any other descriptors (barrel length, color and finish, cartridge capacity); and
3. Any other distinguishing number, identification mark, or inscription on the firearm.

C. Any violation of or failure to comply with the provisions of subsection A of this section shall constitute a class 1 civil infraction pursuant to Chapter 7.80 RCW and shall be punishable by a fine not to exceed two hundred fifty dollars, not including statutory assessments.

Chapter 9.92 – Sale of Firearms

Section 9.92.010. Record of sale—Investigation.

A. It is unlawful for any merchant or secondhand dealer, or any clerk, agent or employee of any merchant or secondhand dealer, to sell, give away or dispose of any pistol to any person at retail, unless:

1. The person is personally known to the seller or shall present clear evidence of his identity; and
2. Unless the merchant or secondhand dealer shall complete a true record in triplicate of every pistol sold or disposed of and submit the record to the chief of police of the city.

B. A complete record 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 is not a fugitive from justice and that he has never been convicted in this state or elsewhere of a crime of violence or of

drug addiction or of habitual drunkenness and has never been confined to a mental institution. One copy shall be sent by registered mail to the chief of police of the city on the same date as the record is completed.

C. The chief of police of the city shall within seventy-two hours, exclusive of Saturdays, Sundays and holidays, investigate the information contained in the record. In the event records are incomplete, the chief of police may require that the record be resubmitted. The time for investigation shall only attach to submission of complete records as herein defined.

Section 9.92.020. Delivery restrictions.

It is unlawful for any merchant or secondhand dealer or any clerk, agent or employee of any merchant or secondhand dealer to deliver any pistol to any purchaser within seventy-two hours exclusive of Saturdays, Sundays or holidays after the dealer has mailed a copy of the complete record in accordance with Section 9.92.010. Also it is unlawful for any merchant or secondhand dealer or any clerk, agent or employee of any merchant or secondhand dealer to deliver any pistol to any person known by the merchant or secondhand dealer or any clerk, agent or employee of any merchant or secondhand dealer, to be a person who is a fugitive from justice or who has been convicted in this state or elsewhere of a crime of violence or of drug addiction or of habitual drunkenness or has been confined to a mental institution. Any merchant or secondhand dealer, or any clerk, agent or employee of any merchant or secondhand dealer, who has no knowledge that the purchaser is a fugitive from justice or a person convicted of a crime of violence or of drug addiction or of habitual drunkenness or has been confined to a mental institution, or receives no communication from the chief of police within seventy-two hours, exclusive of Saturdays, Sundays and holidays, after the merchant has mailed the completed record applicable to the sale, and delivers the pistol, shall not be guilty of a violation of this chapter. This section shall not apply to sales at wholesale or to sales to law enforcement officers.

Section 9.92.030. Prohibited purchasers.

It is unlawful for any person who is a fugitive from justice, or who has been convicted in this state or elsewhere of a crime of violence, or of drug addiction or of habitual drunkenness, or who has been confined to a mental institution, to purchase a pistol in this city, and it is further unlawful for any such person to fail to disclose such information when applying for the purchase of a pistol.

Title 10 Criminal Code
Chapter 10.74 – Offenses By and Against Minors

Section 10.74.034. Use of firearms by minor.

No minor under the age of fourteen years shall handle or have in his or her possession or under his or her control, except while accompanied by or under the immediate charge of his or her parent or guardian or other adult approved for the purpose of this section by the parent or guardian, or while under the supervision of a certified safety instructor at an established gun range or firearm training class, any firearm of any kind for hunting or target practice or for other purposes. Every person violating any of the foregoing provisions, or aiding or knowingly permitting any such minor to violate the same, shall be guilty of a misdemeanor.

Chapter 10.78 – Carrying and Discharging Weapons

Section 10.78.110. Possessing dangerous weapons on school facilities—Penalty—Exceptions.

A. It is unlawful for a person to carry onto, or to possess on, public or private elementary or secondary school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools:

1. Any firearm;

C. Subsection A of this section does not apply to:

1. Any student or employee of a private military academy when on the property of the academy;

2. Any person engaged in military, law enforcement, or school district security activities;

3. Any person who is involved in a convention, showing, demonstration, lecture, or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;

4. Any person while the person is participating in a firearms or air gun competition approved by the school or school district;

5. Any person in possession of a pistol who has been issued a license under RCW 9.41.070, or is exempt from the licensing requirement by RCW 9.41.060, while picking up or dropping off a student;

6. Any nonstudent at least eighteen years of age legally in possession of a firearm or dangerous weapon that is secured within an attended vehicle or concealed from view within a locked unattended vehicle while conducting legitimate business at the school;

7. Any nonstudent at least eighteen years of age who is in lawful possession of an unloaded firearm, secured in a vehicle while conducting legitimate business at the school; or

8. Any law enforcement officer of the federal, state, or local government agency.

E. Except as provided in subsections (C)(2), (C)(3), (C)(6) and (C)(8) of this section, firearms are not permitted in a public or private school building.

Enumclaw Code of Ordinances

Current through Ordinance 2735, passed May 23, 2022.

Title 9 – Public Peace, Morals and Safety

Chapter 9.84 – Crimes Relating to Children

Section 9.84.040. Contributing – Certain acts prohibited – Belief minor in representative capacity no defense.

Every person is guilty of a misdemeanor who:

E. Sells, or gives or permits to be sold or given to any person under the age of 18 years, any revolver or pistol.

Ilwaco Code of Ordinances

Current through Ordinance 929, passed December 13, 2021.

Title 5 – Business Licenses and Regulations

Chapter 5.04 – Business Licenses Generally

Section 5.04.020. Definitions.

The following words and phrases used in this chapter shall be construed as follows:

“Business” means all activities, occupations, trades, pursuits, professions and matter located within the city’s jurisdiction, operated with the object of gain, profit, or nonprofit to the business or person, directly or indirectly.

“Engaging in business” shall have the definition as set forth in Section 3.18.040.

“Person” means any individual, firm, partnership, joint venture, company, association, or any group of individuals acting as a unit, whether cooperative, fraternal, nonprofit or otherwise.

Section 5.04.030. Business license required.

It is unlawful for any person to engage in any business in the city without having first been approved for a business license from the city. If more than one separate business is conducted on single premises, a separate license shall be required for each such business. If a business actively operates from more than one location in the city, a separate license shall be required for each location.

Section 5.04.050. Application procedure.

Any business wishing to engage in business activities in the city of Ilwaco must apply for their business license and pay fees, if required, through Washington State Business Licensing Services (BLS). Business licenses shall be approved at the discretion of the city clerk, except business relating to variance, liquor, firearms and pawnshops. These will need authorization from the council of the city of Ilwaco. The license shall be personal and nontransferable. Each license shall at all times be conspicuously posted in the place of business for which it is issued. Where a location address of a business is changed, the business shall notify both the city clerk and BLS and comply with their requirements.

Kenmore Code of Ordinances

Current through Ordinance 22-0557, passed July 25, 2022.

Title 9 – Criminal Code

Chapter 9.20 – Pistol Sales

Section 9.20.010. Definitions.

The following words and phrases used herein shall be construed as follows:

A. “Pistol” means any firearm or other weapon for the purpose of discharging a projectile by means of compressed air, chemical combustion or otherwise and having a barrel less than 12 inches in length but shall not include antique pistols or revolvers manufactured prior to 1898 and held as collector’s items.

B. “Crime of violence” means any of the following crimes or an attempt to commit any of the same: murder, manslaughter, rape, mayhem, first degree assault, robbery, burglary and kidnapping.

C. “Fugitive from justice” means a person who, having committed a crime, flees from the jurisdiction where it was committed to evade arrest.

D. “Law enforcement officer” means any person who by virtue of his office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses.

Section 9.20.020. Sale and registration.

It is unlawful for any merchant or secondhand dealer, or any clerk, agent or employee of any merchant or secondhand dealer, to sell, give away or dispose of any pistol to any person at retail, unless such person is personally known to the seller or shall present clear evidence of his identity, nor without completing a true record in triplicate of every pistol sold or disposed of. Such record shall be personally signed by the purchaser and by the person affecting 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 is not a fugitive from justice and that he has never been convicted in this State or elsewhere of a crime of violence, or of drug addiction or of habitual drunkenness and has never been confined to a mental institution. One copy shall within six hours be sent by registered mail to the sheriff of King County who shall, within 72 hours, exclusive of Sundays and holidays, investigate the information contained in said record and report his findings to the merchant or secondhand dealer.

Section 9.20.030. Delivery following sheriff's report.

It is unlawful for any merchant or secondhand dealer or any clerk, agent or employee of any merchant or secondhand dealer to deliver any pistol to any purchaser until the merchant or secondhand dealer has received a report from the sheriff that the purchaser is not a fugitive from justice and that the purchaser has never been convicted in this State or elsewhere of a crime of violence, or of drug addiction or of habitual drunkenness and has never been confined to a mental institution; provided, that if such merchant or secondhand dealer does not receive such report from the sheriff within 72 hours, exclusive of Sundays and holidays, after he has mailed a copy of the record to the sheriff as required by KMC 9.20.020, then such merchant or secondhand dealer may deliver the pistol to the purchaser; provided further, that this section shall not apply to sales at wholesale, or to sales to persons exhibiting a valid license to carry a pistol concealed issued pursuant to RCW 9.41.070, or to sales to law enforcement officers.

Section 9.20.040. Purchase unlawful for certain persons.

It is unlawful for any person who is a fugitive from justice or who has been convicted in this State or elsewhere of a crime of violence or of drug addiction or of habitual drunkenness or has been confined to a mental institution to purchase a pistol and it is further unlawful for any such person to fail to disclose such information when applying for the purchase of a pistol.

Kennewick Code of Ordinances

Codified through Ordinance No. 5984, enacted June 21, 2022. (Supp. No. 10)

Title 10 – Peace, Safety and Morals

Chapter 10.12 – Firearms – Weapons

Section 10.12.005. Definitions.

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) *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, 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.

(3) *Dealer* means a person engaged in the business of selling firearms or ammunition at wholesale or retail 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 personal collection of firearms.

(4) *Firearm* means a weapon or device from which a projectile may be fired by an explosive such as gunpowder.

(5) 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 muzzleloader.

(6) 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.

(7) 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.

(8) 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.

(9) 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. 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.

(10) 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) Child molestation in the second degree;
- (c) 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 ten years;
- (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; or
- (p) Any felony conviction under RCW 9.41.115.

(11) 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.

(12) 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.

(13) 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.

Section 10.12.021. Weapons on School Property.

(1) It is unlawful for a person to carry onto, or to possess on, public or private elementary or secondary school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools:

(a) Any firearm;

(b) Any other dangerous weapon as defined in KMC 10.12.074;

(2) Any such person violating subsection (1) of this section is guilty of a gross misdemeanor. If any person is convicted of a violation of subsection (1)(a) of this section, the person shall have his or her concealed pistol license, if any, revoked for a period of three years. Anyone convicted under this subsection is prohibited from applying for a concealed pistol license for a period of three years. The court shall send notice of the revocation to the Department of Licensing, and the city, town, or county which issued the license.

Any violation of subsection (1) of this section by elementary or secondary school students constitutes grounds for expulsion from the state's public schools in accordance with RCW 28A.600.010. An appropriate school authority shall promptly notify law enforcement and the student's parent or guardian regarding any allegation or indication of such violation. Upon the arrest of a person at least 12 years of age and not more than 21 years of age for violating subsection (1)(a) of this section, the person shall be detained or confined in a juvenile or adult facility for up to 72 hours. The person shall not be released within the 72 hours until after the person has been examined and evaluated by the designated crisis responder unless the court in its discretion releases the person sooner after a determination regarding probable cause or on probation bond or bail.

Within 24 hours of the arrest, the arresting law enforcement agency shall refer the person to the designated crisis responder for examination and evaluation under chapter 71.05 or 71.34 RCW and inform a parent or guardian of the person of the arrest, detention, and examination. The designated crisis responder shall examine and evaluate the person subject to the provisions of chapter 71.05 or 71.34 RCW. The examination shall occur at the facility in which the person is detained or confined. If the person has been released on probation, bond, or bail, the examination shall occur wherever is appropriate. Upon completion of any examination by the designated crisis responder, the results of the examination shall be sent to the court, and the court shall consider those results in making any determination about the person.

The designated crisis responder shall, to the extent permitted by law, notify a parent or guardian of the person that an examination and evaluation has taken place and the results of the examination. Nothing in this subsection prohibits the delivery of additional, appropriate mental health examinations to the person while the person is detained or confined.

If the designated crisis responder determines it is appropriate, the designated crisis responder may refer the person to the local behavioral health administrative services organization for follow-up services or other community providers for other services to the family and individual.

(3) Subsection (1) of this section does not apply to:

(a) Any student or employee of a private military academy when on the property of the academy;

(b) Any person engaged in military, law enforcement, or school district security activities. However, a person who is not a commissioned law enforcement officer and who provides school security services under the direction of a school administrator may not possess a device listed in subsection (1)(f) of this section unless he or she has successfully completed training in the use of such devices that is equivalent to the training received by commissioned law enforcement officers;

(c) Any person who is involved in a convention, showing, demonstration, lecture, or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;

(d) Any person while the person is participating in a firearms or air gun competition approved by the school or school district;

(e) Any person in possession of a pistol who has been issued a license under RCW 9.41.070, or is exempt from the licensing requirement by RCW 9.41.060 or while picking up or dropping off a student;

(f) Any nonstudent at least 18 years of age legally in possession of a firearm or dangerous weapon that is secured within an attended vehicle or concealed from view within a locked unattended vehicle while conducting legitimate business at the school;

(g) Any nonstudent at least 18 years of age who is in lawful possession of an unloaded firearm, secured in a vehicle while conducting legitimate business at the school; or

(h) Any law enforcement officer of the federal, state, or local government agency.

(5) Subsection (1)(f)(i) of this section does not apply to any person who possesses a device listed in subsection (1)(f)(i) of this section, if the device is possessed and used solely for the purpose approved by a school for use in a school authorized event, lecture, or activity conducted on the school premises.

(6) Except as provided in subsection (3)(b), (c), (f) and (h) of this section, firearms are not permitted in a public or private school building.

(7) "GUN-FREE ZONE" signs shall be posted around school facilities giving warning of the prohibition of the possession of firearms on school grounds.

Section 10.12.040. Forfeiture of Weapons.

(1) The superior courts and the courts of limited jurisdiction of the state may order forfeiture of a firearm which is proven to be:

(a) Found concealed on a person not authorized by RCW 9.41.060 or 9.41.070 to carry a concealed pistol: PROVIDED, That it is an absolute defense to forfeiture if the person possessed a valid Washington concealed pistol license within the preceding two years and has not become ineligible for a concealed pistol license in the interim. Before the firearm may be returned, the person must pay the past due renewal fee and the current renewal fee;

(b) Commercially sold to any person without an application as required by RCW 9.41.090;

(c) In the possession of a person prohibited from possessing the firearm under RCW 9.41.040 or 9.41.045;

(d) In the possession or under the control of a person at the time the person committed or was arrested for committing a felony or committing a nonfelony crime in which a firearm was used or displayed;

(e) In the possession of a person who is in any place in which a concealed pistol license is required, and who is under the influence of any drug or under the influence of intoxicating liquor, as defined in chapter 46.61 RCW;

(f) In the possession of a person free on bail or personal recognizance pending trial, appeal, or sentencing for a felony or for a nonfelony crime in which a firearm was used or displayed, except that violations of Title 77 RCW shall not result in forfeiture under this section;

(g) In the possession of a person found to have been mentally incompetent while in possession of a firearm when apprehended or who is thereafter committed pursuant to Chapter 10.77 RCW or committed for mental health treatment under Chapter 71.05 RCW;

(h) Used or displayed by a person in the violation of a proper written order of a court of general jurisdiction; or

(i) Used in the commission of a felony or of a nonfelony crime in which a firearm was used or displayed.

(2) Upon order of forfeiture, the court in its discretion may order destruction of any forfeited firearm. A court may temporarily retain forfeited firearms needed for evidence.

(a) Except as provided in (b) of this subsection, firearms that are: (i) judicially forfeited and no longer needed for evidence; or (ii) forfeited due to a failure to make a claim under RCW 63.32.010 or RCW 63.40.010; may be disposed of in any lawful manner. Any proceeds of an auction or trade may be retained by the legislative authority.

(b) Antique firearms and firearms recognized as curios, relics, and firearms of particular historical significance by the United States treasury department bureau of alcohol, tobacco, and firearms are exempt from destruction and shall be disposed of by auction or trade to licensed dealers.

(3) The court shall order the firearm returned to the owner upon a showing that there is no probable cause to believe a violation of subsection (1) of this section existed or the firearm was stolen from the owner or the owner neither had knowledge of nor consented to the act or omission involving the firearm which resulted in its forfeiture.

(4) A law enforcement officer may confiscate a firearm found to be in the possession of a person under circumstances specified in subsection (1) of this section. After confiscation, the firearm shall not be surrendered except:

(a) to the prosecuting attorney for use in subsequent legal proceedings;

(b) for disposition according to an order of a court having jurisdiction as provided in subsection (1) of this section; or

(c) to the owner if the proceedings are dismissed or as directed in subsection (3) of this section.

Section 10.12.060. Possession of Pistol or Semiautomatic Assault Rifle by Person from Eighteen to Twenty-one.

- (1) A person under 21 years of age may not purchase a pistol or semiautomatic assault rifle, and except as otherwise provided in this chapter, no person may sell or transfer a semiautomatic assault rifle to a person under 21 years of age;
- (2) Unless an exception under RCW 9.41.042, 9.41.050, or 9.41.060 applies, a person at least 18 years of age, but less than 21 years of age, may possess a pistol only:
 - (a) In the person's place of abode;
 - (b) At the person's fixed place of business; or
 - (c) On real property under his or her control.
- (3) Except in the places and situations identified in RCW 9.41.042(1) through (9) and 9.41.060(1) through (10), a person at least 18 years of age, but less than 21 years of age, may possess a semiautomatic assault rifle only:
 - (a) In the person's place of abode;
 - (b) At the person's fixed place of business;
 - (c) On real property under his or her control; or
 - (d) For the specific purpose of the following, provided that in all of these situations the semiautomatic assault rifle is unloaded and either in secure gun storage or secured with a trigger lock or similar device that is designed to prevent the unauthorized use or discharge of the firearm:
 - (i) Moving to a new place of abode;
 - (ii) Traveling between the person's place of abode and real property under his or her control; or
 - (iii) Selling or transferring the firearm in accordance with the requirements of this chapter.

Section 10.12.071. Altering Serial Numbers.

No person may change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark of identification on any firearm. Possession of any firearm upon which any such mark shall have been changed, altered, removed, or obliterated, shall be prima facie evidence that the possessor has changed, altered, removed, or obliterated the same. This section shall not apply to replacement barrels in old firearms, which barrels are produced by current manufacturers and therefore do not have the markings on the barrels of the original manufacturers who are no longer in business. This section also shall not apply if the changes do not make the firearm illegal for the person to possess under state or federal law.

Section 10.12.074. Dangerous Weapon.

Every person who:

- (3) Uses any contrivance or device for suppressing the noise of any firearm, is guilty of a gross misdemeanor.

Section 10.12.900. Construction – Conflict with State Law.

If any portion of this chapter is found to be inconsistent with, more restrictive than, or exceed the requirements of state law insofar as it concerns firearms, then it shall be construed consistently with and in harmony with state law.

Lacey Code of Ordinances

Current through Ordinance 1623, passed September 1, 2022.

**Title 9 – Public Peace, Safety and Morals
Chapter 9.12 – Crimes Against the Person**

Section 9.12.070. Domestic violence.

B. If the court has probable cause to believe that the defendant is likely to use or display or threaten to use a deadly weapon as defined in Revised Code of Washington 9A.04.110 in any further acts of harassment or violence, the court may also require the defendant to surrender any deadly weapon in the defendant's immediate possession or control, or subject to the defendant's immediate possession or control, to the city's police chief or to the defendant's counsel for safe keeping.

Chapter 9.36 – Firearms and Weapons

Section 9.36.010. Definitions.

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

A. “Firearm” means a weapon or device from which a projectile may be fired by an explosive such as gunpowder.

B. “Pistol” means any firearm with a barrel less than twelve inches in length, or is designed to be held and fired by the use of a single hand.

Section 9.36.050. Use of firearm by a minor.

A. Unless an exception under Lacey Municipal Code Section 9.36.020 or Section 9.36.030 applies, a person at least eighteen years of age, but less than twenty-one years of age, may possess a pistol only:

1. In the person’s place of abode;
2. At the person’s fixed place of business; or
3. On the real property under his or her control.

B. Possession of a pistol in violation of this section shall constitute a misdemeanor.

Section 9.36.080. Carrying weapons on school facilities.

A. It is unlawful for a person to carry onto, or to possess on, public or private elementary or secondary school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools:

1. Any firearm;

B. Any such person violating subsection A of this section is guilty of a gross misdemeanor. If any person is convicted of a violation of subsection (A)(1) of this section, the person shall lose his or her concealed pistol license, if any. The court shall send notice of the revocation to the department of licensing, and the city, town, or county which issued the license.

C. Subsection A of this section does not apply to:

1. Any student or employee of a private military academy when on the property of the academy;
2. Any person engaged in military, law enforcement, or school district security activities;
3. Any person who is involved in a convention, showing, demonstration, lecture, or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;
4. Any person while the person is participating in a firearms or air gun competition approved by the school or school district;
5. Any person in possession of a pistol who has been issued a license under Revised Code of Washington 9.41.070, or is exempt from the licensing requirements of Lacey Municipal Code 9.36.030 or by Revised Code of Washington 9.41.060, while picking up or dropping off a student;
6. Any nonstudent at least eighteen years of age legally in possession of a firearm or dangerous weapon that is secured within an attended vehicle or concealed from view within a locked unattended vehicle while conducting legitimate business at the school;
7. Any nonstudent at least eighteen years of age who is in lawful possession of an unloaded firearm, secured in a vehicle while conducting legitimate business at the school; or
8. Any law enforcement officer of the federal, state, or local government agency.

E. Except as provided in subsection C. 2, 3, 6 and 8 of this section, firearms are not permitted in a public or private school building.

Langley Code of Ordinances

Current through Ordinance 1096, passed September 16, 2022.

Title 18 – Zoning

Chapter 18.22 – General Provisions and Standards

Section 18.22.060. Home occupations.

I. Businesses Not Permitted. Not all businesses are permitted as home occupations. The following businesses are examples of those not accepted as legitimate home occupations in residential zones under this section:

8. Firearm sales and services;

Longview Code of Ordinances
Current through Ordinance 3465, passed August 23, 2022.

Title 8 – Minors
Chapter 8.08 – Entry into Certain Public Places

Section 8.08.010. Pool or billiard hall – Cigarette sales – Firearms sale.

(1) Every person who:

(c) Sells, or gives, or permits to be sold or given to any person under the age of 18 years any revolver, or pistol, is guilty of a misdemeanor.

Title 19 – Zoning
Chapter 19.44 – Commercial Zoning Districts

Section 19.44.020. Uses.

Table 19.44.020-1 includes uses that are permitted (“P”) or allowed through a special property use permit (“SPU”). If a field is blank, or the use is not listed, the use is not allowed in that particular zone.

Table 19.44.020-1. Permitted uses in commercial zones.

Use	D-C	CBD	RC1	NC2	GC	O/C
Retail Sales and Service						
Repair oriented: repair of ... guns, appliances and office equipment; photo or laundry drop-off; quick printing; tailor; locksmith; and upholsterer	P	P	P	P	P	P

Lynnwood Code of Ordinances
Current through Ordinance 3425, passed September 12, 2022.

Title 5 – Business Regulations and Licenses
Chapter 5.82 – Secondhand Dealers

Section 5.82.010. Definitions.

C. “Secondhand dealer” means any person, firm, corporation or partnership that within the city of Lynnwood as a business engages in the purchase, sale, trade, barter, exchange or receipt of consignment sale, or otherwise transferring for value any of the following secondhand goods or items:

5. Any firearms as defined in LMC 10.52.050;

Section 5.82.020. License requirements – Fees.

A. It is unlawful for any person to engage in the business of secondhand dealer, as defined in LMC 5.82.010, without first procuring a license to do so, to be known as a secondhand dealer’s license. The fee for such secondhand dealer’s license shall be fixed in the sum shown in Chapter 3.104 LMC. Any specific licenses required under this chapter are separate from the business license required under 5.06 LMC.

Title 10 – Public Peace, Safety and Morals
Chapter 10.04 – Penal Code
Article VI – Weapons

Section 10.04.510. Purchasing weapon by use of false information.

Any person who shall in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same give false information or offer false evidence of his identity shall be guilty of a misdemeanor.

Newcastle Code of Ordinances
Current through Ordinance 2022-644, passed May 17, 2022.

Title 18 – Zoning
Chapter 18.30 – Development Standards – Animals, Home Occupations, Home Industry and Secure Community Transition Facilities and Short-Term Rentals

Section 18.30.040. Home occupation.

C. The following activities shall be prohibited as home occupations:

7. Gun sales.

Normandy Park Code of Ordinances
Current through Ordinance 1034, passed November 23, 2021.

Title 7 – Peace Safety and Morals
Chapter 7.24 – Firearms and Weapons

Section 7.24.030. Delivery restricted.

No person shall deliver a pistol to any person under the age of 21 or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

Section 7.24.080. Possession restrictions.

No person who has been convicted in this state or elsewhere of a crime of violence, shall own a pistol or have one in his possession under his control.

Section 7.24.110. Certain transfers forbidden.

No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge for a loan, shall keep such records and make such reports as are provided by law for pawnbrokers and secondhand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person. No person shall lend or give a pistol to another or otherwise deliver a pistol contrary to the provisions of this title.

Section 7.24.120. Alteration of identifying marks.

No person shall change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark of identification of any pistol. Possession of any pistol upon which any such mark has been changed, altered, removed, or obliterated, shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same.

Section 7.24.130. False information forbidden.

No person shall in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same give false information or offer false evidence of his identity.

Section 7.24.140. Antique pistols exempted.

This title shall not apply to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

Section 7.24.150. Machine guns.

It is unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or to have in possession, or under control, any machine gun, or any part thereof capable of use or assembling or repairing any machine gun; provided, however, that such limitation shall not apply to any police officer in the discharge of official duty, or to any officer of member of the armed forces of the United States or the state of Washington.

Section 7.24.160. Machine gun defined.

For the purpose of this title, "machine gun" means any firearm or weapon known as a machine gun, mechanical rifle, submachine gun, and/or any other weapon, mechanism, or instrument not requiring that the trigger be proposed for each shot and having a reservoir clip disc, drum, bolt, or other separable mechanical device for steering, carrying or supplying ammunition which can be loaded into such weapon, mechanism, or instrument, and fired therefrom at a rate of five or more shots per second.

Section 7.24.170. Machine guns or parts contraband.

All machine guns, or parts thereof, illegally held or possessed are declared to be contraband and it shall be the duty of all police officers to seize said machine gun, or parts thereof, wherever and whenever found.

Olympia Code of Ordinances
Current through Ordinance 7335, passed September 20, 2022.

Title 9 – Public Peace, Morals and Welfare
Chapter 9.44 – Offenses By or Against Juveniles

Section 9.44.060. Firearms

A. It is unlawful for anyone to sell, give, furnish or cause to be furnished, or permit to be sold, given, furnished or cause to be furnished to a minor a pistol, rifle, shotgun or similar firearm, or any ammunition for the same.

B. It is unlawful for a minor to purchase, possess, or use any firearm or any ammunition for the same.

C. In any prosecution under this section it is an affirmative defense that the firearm is being used or is about to be used immediately at a rifle range or that such minor is to immediately embark on a lawful animal hunt and such minor possesses a lawful hunting license and is accompanied by a person over the age of eighteen years.

**Title 18 – Unified Development Code
Chapter 18.05 – Villages and Centers**

Section 18.05.040. Permitted, conditional, required and prohibited uses.

B. Prohibited and unspecified uses.

Land uses which are not listed in Table 5.01 as permitted, conditional, or required uses are prohibited, unless they are authorized by the Director consistent with Section 18.02.080, Interpretations. In no event, however, shall the following uses be permitted:

5. Sale of firearms.

Pierce County Code of Ordinances

Current through Ordinance 2022-42, and legislation passed through July 19, 2022.

**Title 9 – Criminal Code
Chapter 9.32 – Dangerous Weapons Prohibited**

Section 9.32.010. Definitions.

For the purpose of this Chapter, the following terms shall apply:

A. "Dangerous weapon" means any device listed in subsections B. through F. of this Section.

B. "Destructive device" means any:

1. Explosive, incendiary or poison gas;
2. Bomb;
3. Grenade;
4. Rocket having a propellant charge of more than four ounces;
5. Missile having an explosive or incendiary charge of more than one-quarter ounce;
6. Mine;
7. Booby trap;
8. Molotov cocktail; or
9. Any similar device, other than firearms, the primary or common purpose of which is to explode and to be used as a weapon against any person or property; or
10. Any combination of parts either designed or intended for use in converting any device into a destructive device as defined above from which a destructive device may be readily assembled.

C. "Firearm" means any weapon or device from which a projectile may be fired by an explosive such as gunpowder.

D. "Firearm silencer" means any instrument, attachment, weapon or appliance for causing the firing of any gun, revolver, pistol or other firearm to be silent, or intended to lessen or muffle the noise of the firing of any gun, revolver, pistol, or other firearm.

E. "Sawed-off rifle" means any rifle with overall length of less than twenty-six inches and/or barrel length of less than sixteen inches.

F. "Sawed-off shotgun" means any shotgun with overall length of less than twenty-six inches and/or barrel length of less than eighteen inches.

G. "Shotgun" means a weapon with one or more barrels intended to be fired from the shoulder and 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, as defined in RCW 9.41.010(5).

Section 9.32.020. Unlawful Possession, Manufacture or Disposition.

It is unlawful for any person to possess, manufacture and/or dispose of any weapon and/or device as defined in subsections B., D., E., F., and G. of Section 9.32.010.

Section 9.32.030. Changing or Obliterating Serial Number.

It is unlawful for any person to change, alter, remove or obliterate the serial number upon any firearm. Possession of any firearm upon which the serial number has been changed, altered, removed or obliterated is prima facie evidence that the possessor has changed, altered, removed or obliterated the serial number.

Section 9.32.040. Exception.

A. This Chapter shall not apply to the possession of any such weapon or device by any law enforcement officer.

B. Section 9.32.020 does not prohibit the manufacture, use, possession or disposal of any material, substance or device by those persons engaged in any lawful activity who are authorized by governmental agencies, which have lawful control over such matters, to use such items in the performance of their duties.

Raymond Code of Ordinances

Current through Ordinance 1910, passed March 7, 2022.

Title 9 – Public Peace, Morals and Welfare Chapter 9.76 – Firearms and Air Rifles

Section 9.76.010. Selling firearms or air rifles to minors prohibited.

It is unlawful for any person, firm or corporation to sell any firearms, air rifles or BB guns to minors.

Seattle Code of Ordinances

Codified through Ordinance No. 126605 (Supp. No. 30, Update 1)

Title 5 – Revenue, Finance and Taxation Subtitle II – Taxes Chapter 5.50 – Firearms and Ammunition Tax

Section 5.50.020. Definitions.

The definitions contained in Chapter 5.30 of the Seattle Municipal Code shall be fully applicable to this chapter except as may be expressly stated to the contrary herein. The following additional definitions shall apply throughout this Chapter 5.50:

"Ammunition" means any projectiles with their fuses, propelling charges, or primers designed to be fired from firearms. Ammunition shall include any shotgun shell and any rifle, pistol, or revolver cartridge.

"Round of ammunition" means a single unit of ammunition.

"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.

"Family or household member" means "family" or "household member" as used in RCW 10.99.020.

"Firearm" means a weapon from which a projectile or projectiles may be fired by an explosive such as gunpowder.

"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 the officer's employer to carry a concealed pistol.

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

Section 5.50.030. Tax imposed; rates.

A. There is imposed a tax on every person engaging within the City in the business of making retail sales of firearms or ammunition. The amount of the tax due shall be equal to the quantity of firearms sold at retail and the quantity of ammunition sold at retail multiplied by the applicable tax rates that are stated in Section 5.50.030.B.

B. The tax rate shall be \$25 per firearm sold at retail, \$.02 per round of ammunition that contains a single projectile that measures .22 caliber or less sold at retail, and \$.05 per round of ammunition for all other ammunition sold at retail.

Section 5.50.040. Firearms and ammunition tax, When due

The tax imposed by this Chapter 5.50 shall be due and payable in accordance with Section 5.55.040 in the same manner as the business license tax under Chapter 5.45. Taxpayers filing and paying their business license tax on a quarterly basis shall file and pay the firearms and ammunition tax on a quarterly basis and taxpayers filing and paying their

business license tax on an annual basis shall file and pay the firearms and ammunition tax on an annual basis. Forms for such filings shall be prescribed by the Director. Persons discontinuing their business activities in Seattle shall report and pay the firearms and ammunition tax at the same time as they file their final business license tax return.

Section 5.50.050. Deductions.

A. In computing the tax, the taxpayer may deduct from the measure of the tax all firearms or ammunition:

1. That the taxpayer delivers to the buyer or the buyer's representative at a location outside the State of Washington.
2. That the taxpayer sells to an office, division, or agency of the United States, or the State of Washington or any of its municipal corporations.

B. In computing the tax, the taxpayer may deduct from the measure of the tax all antique firearms.

Section 5.50.060. Exemptions.

A. A person who sells no more than one firearm within the City in any quarterly tax reporting period is exempt from the tax on the business of making retail sales of firearms for that period.

B. A person who sells fewer than 50 rounds of ammunition within the City in any quarterly tax reporting period is exempt from the tax on the business of making retail sales of ammunition for that period.

C. A licensed dealer is exempt from the tax for retail sales of firearms in which the licensed dealer's only role is to facilitate sales of firearms between two unlicensed persons by conducting background checks under chapter 9.41 RCW.

**Title 6 – Business Regulations
Subtitle IV – New License Code
Chapter 6.288 – Used Good Dealers**

Section 6.288.010. Definitions.

B. "Pawnbroker" means any person engaged, in whole or in part, in the business of loaning money upon the security of pledges of personal property, or deposits or conditional sales of personal property, and the purchase or sale of personal property.

G. "Used goods" means any item of personal property offered for sale not as new, including metals in any form except coins that are legal tender, but excluding books, magazines and postage stamps.

H. "Used goods dealer" means any pawnbroker, scrap metal processor, scrap metal hauler, or person engaged in the business of purchasing, selling, trading, auctioning, consignment selling, or otherwise transferring for value, used goods.

I. "School" means an educational facility of Seattle School District No. 1 or of an adjoining school district, and also means a "residential school" as that term is defined in Sections 28A.190.010 and 28A.190.020 RCW, and also means a private facility used for education now or hereafter approved as a school by the Superintendent of Public Instruction of the State of Washington under Chapter 28A.195 RCW. It does not include home-based instruction whether or not that instruction meets the requirements of Subsection 28A.225.010(4) RCW. The designation of the grounds of a school on the map of "drug-free zones" maintained in the offices of the Seattle Police Department shall be conclusive evidence that a school exists on that site for purposes of this chapter.

J. "Firearm" means a weapon or device from which a projectile may be fired by an explosive such as gunpowder.

Section 6.288.040. Pawnbrokers, Location limitations.

A. No "pawnbroker" endorsement to a used goods dealer license shall be issued to conduct any pawnshop located within a distance of five hundred (500) feet from the grounds of a public, parochial or private school, if the business offers firearms for sale, has a storefront, has hours during which it is open for business, and posts advertisements or signs observable to passersby that firearms are available for sale, unless such pawnshop was lawfully conducted at the same location within such area by a licensed pawnbroker on December 26, 1993 and has been continuously operated at that location by the same licensee ever since, or the school was established after the pawnshop was licensed at that location.

B. A "pawnbroker" endorsement shall be issued only to conduct a pawnshop located within any of the following land use zones as those zones are mapped from time to time in the Official Land Use Map of The City of Seattle, which is part of Title 23 of the Seattle Municipal Code: C1, C2, DOC1, DOC2, DRC, DMC, DMR, PSM, IDM, IDR, DH1, DH2, PMM, IG1, IG2, IB, IC.

Section 6.288.130. Firearms dealer licenses required.

Any used goods dealer who shall engage in the purchase or sale of firearms, or in the business of lending money upon a pledge or pawn of a firearm as security for payment or repayment, shall first obtain a dealer's license pursuant to RCW 9.41.110, where applicable, and a license from the United States as a dealer.

Title 10 – Health and Safety
Chapter 10.78 – Lost or Stolen Firearms

Section 10.78.010. Reporting theft or loss of firearm required

A. If a firearm is lost or stolen, the person who owned or was in possession of the firearm shall report the theft or loss to the Seattle Police Department. The report shall be made within 24 hours after the theft or loss is first discovered, and shall include to the extent known:

1. The firearm's caliber, make, model, manufacturer, and serial number;
2. Any other distinguishing number or identification mark on the firearm; and
3. The circumstances of the loss or theft, including the date, place, and manner.

C. The failure to comply with subsection 10.78.010.A shall constitute a civil infraction subject to a civil fine or forfeiture not to exceed \$1,000.

Chapter 10.79 – Storage of Firearms

Section 10.79.010. Definitions.

For purposes of this Chapter 10.79, the following definitions apply:

A. "At-risk person" means any person who has made statements or exhibited behavior that indicates to a reasonable person there is a likelihood that the person is at risk of attempting suicide or causing physical harm to oneself or others.

B. "Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder, including but not limited to any machine gun, pistol, rifle, short-barreled rifle, short-barreled shotgun, or shotgun as those terms are defined in RCW 9.41.010. "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.

C. "Lawfully authorized user" means any person who:

1. Is not in the unlawful possession of a firearm under RCW 9.41.040; and
2. Is not prohibited from possessing a firearm under any other state or federal law; and
3. Has the express permission of the owner to possess and use the firearm.

D. "Locked container" includes any storage device approved of or meeting specifications established by the Chief of Police by rule promulgated in accordance with Chapter 3.02.

E. "Minor" means a person under 18 years of age who is not authorized under RCW 9.41.042 to possess a firearm.

F. "Prohibited person" means any person who is not a lawfully authorized user.

Section 10.79.020. Safe storage of firearms.

It shall be a civil infraction for any person to store or keep any firearm in any premises unless such weapon is secured in a locked container, properly engaged so as to render such weapon inaccessible or unusable to any person other than the owner or other lawfully authorized user. Notwithstanding the foregoing, for purposes of this Section 10.79.020, such weapon shall be deemed lawfully stored or lawfully kept if carried by or under the control of the owner or other lawfully authorized user.

Section 10.79.030. Unauthorized access prevention

It shall be a civil infraction if any person knows or reasonably should know that a minor, an at-risk person, or a prohibited person is likely to gain access to a firearm belonging to or under the control of that person, and a minor, an at-risk person, or a prohibited person obtains the firearm.

Title 12A – Criminal Code
Subtitle I – Criminal code
Chapter 12A. 06 – Offenses Against Persons

Section 12A.06.195. Court order requiring surrender of firearm, dangerous weapon or concealed pistol license.

A. In this Section 12A.06.195, the following definitions apply unless a different meaning plainly is required:

"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.

"Firearm" means a weapon or device from which a projectile may be fired by an explosive such as gunpowder.

"Intimate partner" includes a spouse, a domestic partner, a former spouse, a former domestic partner, a person with whom the restrained person has a child in common, or a person with whom the restrained person has cohabitated or is cohabitating as part of a dating relationship.

B. When entering an order authorized under Section 12A.06.130, 12A.06.165, or 12A.06.170 or RCW 9A.46.040, 9A.46.050, 9A.46.080, or 9A.46.085 and upon a showing by either clear and convincing evidence or a preponderance of the evidence, but not by clear and convincing evidence, that a party has used, displayed, or threatened to use a firearm or other dangerous weapon in a felony, that a party has previously committed any offense making the party ineligible to possess a firearm under the provisions of RCW 9.41.040 or that a party's possession of a firearm or other dangerous weapon presents a serious and imminent threat to public health or safety or to the health or safety of any person, the court shall:

1. Require the party to surrender any firearm or other dangerous weapon;
2. Require the party to surrender any concealed pistol license issued under RCW 9.41.070;
3. Prohibit the party from obtaining or possessing a firearm or other dangerous weapon;
4. Prohibit the party from obtaining or possessing a concealed pistol license.

C. During any period of time a person is subject to a court order issued under Section 12A.06.130, 12A.06.165, or 12A.06.170 or RCW 9A.46.040, 9A.46.050, 9A.46.080, or 9A.46.085 after a hearing of which the person received actual notice and at which the person had an opportunity to participate, that restrains the person from harassing, stalking, or threatening an intimate partner of the person or child of the intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, that includes a finding that the person represents a credible threat to the physical safety of the intimate partner or child, and, that, by its terms, explicitly prohibits the use, attempted use, or threatened use of physical force against the intimate partner or child that would reasonably be expected to cause bodily injury, the court shall:

1. Require the party to surrender any firearm or other dangerous weapon;
2. Require the party to surrender any concealed pistol license issued under RCW 9.41.070;
3. Prohibit the party from obtaining or possessing a firearm or other dangerous weapon; and
4. Prohibit the party from obtaining or possessing a concealed pistol license.

D. The court may order temporary surrender of a firearm or dangerous weapon without notice to the party if it finds, on the basis of the moving affidavit or other evidence, that irreparable injury could result if an order is not issued until the time for a response has passed.

E. The requirements and prohibitions of subsections 12A.06.195.B and 12A.06.195.D may be for a period of time less than the duration of the order.

F. The court may require the party to surrender any firearm or dangerous weapon in or subject to the party's immediate possession or control to the King County Sheriff, the Seattle Chief of Police, the party's counsel or any person designated by the court.

G. A party who is ordered to surrender firearms, dangerous weapons, and the party's concealed pistol license under this Section 12A.06.195 or chapter 7.92 RCW, RCW 7.90.090, 7.90.150, 7.94.050, 7.94.090, 9A.46.050, 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.26.590, 26.50.060, or 26.50.070 and who knowingly fails to file with the clerk of the court that issued the order a proof of surrender and receipt form or a declaration of nonsurrender form within five judicial days of the entry of the order is guilty of a misdemeanor.

Chapter 12A.14 – Weapons Control

Section 12A.14.010. Definitions

The following definitions apply in this Chapter 12A.14:

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

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

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

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

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

"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.

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

"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.

Section 12A.14.160. Possessing dangerous weapon on school facility.

A. It is unlawful for a person to knowingly carry onto, or to possess on, public or private elementary or secondary school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools:

1. any firearm or air gun;

B. Any person violating subsection A of this section is guilty of a gross misdemeanor. Any person convicted of a violation of subsection A1 of this section shall have his or her concealed pistol license, if any, revoked for a period of three (3) years and is prohibited from applying for a concealed pistol license for a period of three (3) years. The court shall send notice of the revocation to the department of licensing, and the city, town, or county which issued the license.

C. Subsection A of this section does not apply to:

1. Any student or employee of a private military academy when on the property of the academy;
2. Any person engaged in military, law enforcement, or school district security activities. However, a person who is not a commissioned law enforcement officer and who provides school security services under the direction of a school administrator may not possess a device listed in subsection A3 or A4 of this section unless he or she has successfully completed training in the use of such devices that is equivalent to the training received by commissioned law enforcement officers;
3. Any person who is involved in a convention, showing, demonstration, lecture, or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;
4. Any person while the person is participating in a firearms or air gun competition approved by the school or school district;
5. Any person in possession of a pistol who has been issued a license under RCW 9.41.070, or is exempt from the licensing requirement by RCW 9.41.060, while picking up or dropping off a student;
6. Any nonstudent at least eighteen (18) years of age legally in possession of a firearm or dangerous weapon that is secured within an attended vehicle or concealed from view within a locked unattended vehicle while conducting legitimate business at the school;
7. Any nonstudent at least eighteen (18) years of age who is in lawful possession of an unloaded firearm, secured in a vehicle while conducting legitimate business at the school; or
8. Any law enforcement officer of the federal, state, or local government agency.

Section 12A.14.180. Unlawful delivery of pistol by dealer.

A. No dealer may deliver a pistol to the purchaser thereof until:

1. The purchaser produces a valid concealed pistol license and the dealer has recorded the purchaser's name, license number, and issuing agency, such record to be made in triplicate and processed as provided in subsection D of this section. For purposes of this subsection A1, a "valid concealed pistol license" does not include a temporary emergency license, and does not include any license issued before July 1, 1996, unless the issuing agency conducted a records search for disqualifying crimes under RCW 9.41.070 at the time of issuance; or
2. The dealer is notified in writing by the chief of police or the sheriff of the jurisdiction in which the purchaser resides that the purchaser is eligible to possess a pistol under RCW 9.41.070 and that the application to purchase is approved by the chief of police or sheriff; or
3. The results of all required background checks are known and the purchaser or transferee is not prohibited from owning or possessing a firearm under federal or state law; or
4. Ten business days have elapsed from the date the licensed dealer requested the background check. However, for sales and transfers of pistols if the purchaser or transferee does not have a valid permanent Washington driver's

license or state identification card or has not been a resident of the state for the previous consecutive 90 days, then the time period in this subsection 12A.14.180.A.4 shall be extended from ten business days to 60 days.

B. A dealer shall use the state system and national instant criminal background check system, provided for by the Brady Handgun Violence Prevention Act (18 U.S.C. Sec. 921 et seq.), to make criminal background checks of applicants to purchase firearms.

C. In any case under this section 12A.14.180 where the applicant has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor, the dealer shall hold the delivery of the pistol until the warrant for arrest is served and satisfied by appropriate court appearance.

D.

1. At the time of applying for the purchase of a pistol, the purchaser shall sign in triplicate and deliver to the dealer an application containing his or her full name, residential address, date and place of birth, race, and gender; the date and hour of the application; the applicant's driver's license number or state identification card number; a description of the pistol including the make, model, caliber and manufacturer's number if available at the time of applying for the purchase of a pistol. If the manufacturer's number is not available, the application may be processed, but delivery of the pistol to the purchaser may not occur unless the manufacturer's number is recorded on the application by the dealer and transmitted to the chief of police of the municipality or the sheriff of the county in which the purchaser resides; and a statement that the purchaser is eligible to possess a pistol under RCW 9.41.040.

2. The application shall contain a warning substantially as follows:

CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. State permission to purchase a firearm is not a defense to a federal prosecution.

3. The purchaser shall be given a copy of the department of fish and wildlife pamphlet on the legal limits of the use of firearms, firearms safety, and the fact that local laws and ordinances on firearms are preempted by state law and must be consistent with state law.

4. The dealer shall, by the end of the business day, sign and attach his or her address and deliver a copy of the application and such other documentation as required under subsection A of this section to the chief of police of the municipality or the sheriff of the county of which the purchaser is a resident. The triplicate shall be retained by the dealer for six years. The dealer shall deliver the pistol to the purchaser following the period of time specified in this section unless the dealer is notified of an investigative hold under RCW 9.41.090(4) writing by the chief of police of the municipality or the sheriff of the county, whichever is applicable, denying the purchaser's application to purchase and the grounds thereof.

E. For purposes of this section, "**dealer**" means a person engaged in the business of selling firearms at wholesale or retail 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.

F. This section does not apply to sales to licensed dealers for resale or to the sale of antique firearms.

G. Any person violating any provision of this section is guilty of a misdemeanor, subject to the provisions of Chapters 12A.02 and 12A.04, except that absolute liability shall be imposed and none of the mental states described in Section 12A.04.030 need be proved.

Section 12A.14.185. Unlawful delivery of firearm by licensed dealer.

A. Except as otherwise provided in this Chapter 12A.14, a licensed dealer may not deliver any firearm to a purchaser or transferee until the earlier of:

1. The results of all required background checks are known and the purchaser or transferee is not prohibited from owning or possessing a firearm under federal or state law; or

2. Ten business days have elapsed from the date the licensed dealer requested the background check. However, for sales and transfers of pistols if the purchaser or transferee does not have a valid permanent Washington driver's license or state identification card or has not been a resident of the state for the previous consecutive 90 days, then the time period in this subsection shall be extended from ten business days to 60 days.

B. Any person violating any provision of this Section 12A.14.185 is guilty of a misdemeanor, subject to the provisions of Chapters 12A.02 and 12A.04, except that absolute liability shall be imposed and none of the mental states described in Section 12A.04.030 need be proved.

Section 12A.14.190. Unlawful sales by a dealer.

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, any firearm other than a pistol or any ammunition without being licensed as provided in RCW 9.41.110

B. For purposes of this section, "**dealer**" means a person engaged in the business of selling firearms at wholesale or retail 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.

C. Any person violating any provision of this section is guilty of a misdemeanor, subject to the provisions of Chapters 12A.02 and 12A.04, except that absolute liability shall be imposed and none of the mental states described in Section 12A.04.030 need be proved.

Section 12A.14.195. Unlawful sale or transfer of firearm.

A. No person shall sell or transfer a firearm unless:

1. The person is a licensed dealer; or
2. The purchaser or transferee is a licensed dealer; or
3. The requirements of subsection 12A.14.195.B are met.

B. Where neither party to a prospective firearms transaction is a licensed dealer, the parties to the transaction shall complete the sale or transfer through a licensed dealer as follows:

1. The seller or transferor shall deliver the firearm to a licensed dealer to process the sale or transfer as if it is selling or transferring the firearm from its inventory to the purchaser or transferee, except that the unlicensed seller or transferor may remove the firearm from the business premises of the licensed dealer while the background check is being conducted. If the seller or transferor removes the firearm from the business premises of the licensed dealer while the background check is being conducted, the purchaser or transferee and the seller or transferor shall return to the business premises of the licensed dealer and the seller or transferor shall again deliver the firearm to the licensed dealer prior to completing the sale or transfer.
2. Except as provided in subsection 12A.14.195.B.1, the licensed dealer shall comply with all requirements of federal and state law that would apply if the licensed dealer were selling or transferring the firearm from its inventory to the purchaser or transferee, including but not limited to conducting a background check on the prospective purchaser or transferee in accordance with federal and state law requirements and fulfilling all federal and state recordkeeping requirements.
3. The purchaser or transferee must complete, sign, and submit all federal, state, and local forms necessary to process the required background check to the licensed dealer conducting the background check.
4. If the results of the background check indicate that the purchaser or transferee is ineligible to possess a firearm, then the licensed dealer shall return the firearm to the seller or transferor.
5. The licensed dealer may charge a fee that reflects the fair market value of the administrative costs and efforts incurred by the licensed dealer for facilitating the sale or transfer of the firearm.

C. It is an affirmative defense to a charge of violating subsection 12A.14.195.A, which the defendant must prove by a preponderance of the evidence, that the sale or transfer is:

1. A transfer that is a bona fide gift or loan between immediate family members, which for this subsection 12A.14.195.C.1 shall be limited to spouses, domestic partners, parents, parents-in-law, children, siblings, siblings-in-law, grandparents, grandchildren, nieces, nephews, first cousins, aunts, and uncles;
2. The sale or transfer of an antique firearm;
3. A temporary transfer of possession of a firearm if such transfer is necessary to prevent imminent death or great bodily harm to the person to whom the firearm is transferred if:
 - a. The temporary transfer only lasts as long as immediately necessary to prevent such imminent death or great bodily harm; and
 - b. The person to whom the firearm is transferred is not prohibited from possessing firearms under state or federal law;
4. A temporary transfer of possession of a firearm if:
 - a. The transfer is intended to prevent suicide or self-inflicted great bodily harm;

- b. The transfer lasts only as long as reasonably necessary to prevent death or great bodily harm; and
 - c. The firearm is not utilized by the transferee for any purpose for the duration of the temporary transfer;
5. Any law enforcement or corrections agency and, to the extent the person is acting within the course and scope of his or her employment or official duties, any law enforcement or corrections officer, United States marshal, member of the armed forces of the United States or the national guard, or federal official;
6. A federally licensed gunsmith who receives a firearm solely for the purposes of service or repair, or the return of the firearm to its owner by the federally licensed gunsmith;
7. The temporary transfer of a firearm:
- a. Between spouses or domestic partners;
 - b. If the temporary transfer occurs, and the firearm is kept at all times, at an established shooting range authorized by the governing body of the jurisdiction in which such range is located;
 - c. If the temporary transfer occurs and the transferee's possession of the firearm is exclusively at a lawful organized competition involving the use of a firearm, or while participating in or practicing for a performance by an organized group that uses firearms as a part of the performance;
 - d. To a person who is under 18 years of age for lawful hunting, sporting, or educational purposes while under the direct supervision and control of a responsible adult who is not prohibited from possessing firearms;
 - e. Under circumstances in which the transferee and the firearm remain in the presence of the transferor; or
 - f. While hunting if the hunting is legal in all places where the person to whom the firearm is transferred possesses the firearm and the person to whom the firearm is transferred has completed all training and holds all licenses or permits required for such hunting;

A temporary transfer allowed by this subsection 12A.14.195.C.7 is permitted only if the person to whom the firearm is transferred is not prohibited from possessing firearms under state or federal law;

8. A person who either acquired a firearm other than a pistol by operation of law upon the death of the former owner of the firearm or acquired a pistol by operation of law upon the death of the former owner of the pistol within the preceding 60 days. At the end of the 60-day period, the person must either have lawfully transferred the pistol or must have contacted the Washington State Department of Licensing to notify the Department that he or she has possession of the pistol and intends to retain possession of the pistol, in compliance with all federal and state laws; or
9. A sale or transfer when the purchaser or transferee is a licensed collector and the firearm being sold or transferred is a curio or relic.

D. Any person violating any provision of this Section 12A.14.195 is guilty of a gross misdemeanor subject to the provisions of Chapters 12A.02 and 12A.04, except that absolute liability shall be imposed and none of the mental states described in Section 12A.04.030 need be proved. Each firearm sold or transferred without complying with the background check requirement of this Section 12A.14.195 is a separate offense.

Section 12A.14.200. Altering identifying marks of firearm.

A. No person may change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark of identification on any firearm. Possession of any firearm upon which any such mark shall have been changed, altered, removed, or obliterated, shall be prima facie evidence that the possessor has changed, altered, removed, or obliterated the same.

B. This section shall not apply to replacement barrels in old firearms, which barrels are produced by current manufacturers and therefore do not have the markings on the barrels of the original manufacturers who are no longer in business. This section also shall not apply if the changes do not make the firearm illegal for the person to possess under state or federal law.

C. Any person violating any provision of this section is guilty of a misdemeanor, subject to the provisions of Chapters 12A.02 and 12A.04, except that absolute liability shall be imposed and none of the mental states described in Section 12A.04.030 need be proved.

Shoreline Code of Ordinances

Current through Ordinance 967, passed June 6, 2022.

Title 20 – Development Code

Chapter 20.40 – Zoning and Use Provisions

Subchapter 3 – Index of Supplemental Use Criteria

Section 20.40.374. General retail trade/services.

These general retail trade/services are prohibited in the MUR zones:

- D. Firearm sales;

Spokane County Code of Ordinances

Codified through (Resolution No. 2022-0536, passed August 9, 2022.) (Supp. No. 57)

Title 6 – Police and Safety

Chapter 6.05 – Firearms and Weapons

Section 6.05.010. Definitions.

Terms used in this Chapter shall have the meanings herein given to them.

"**Person**" shall mean every natural person, fire co-partnership, corporation, association or organization.

"**Pistol**" shall mean any firearm with a barrel less than twelve inches in length.

Section 6.05.050. Persons prohibited from owning or possessing pistol.

No person who has been convicted in this state or elsewhere of a crime of violence, shall own a pistol or have one in his possession or under his control.

Section 6.05.070. Giving of false information prohibited.

No person shall in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same, give false information or offer false evidence of his identity.

Section 6.05.080. Alteration of identifying marks prohibited.

No person shall change, alter, remove, or obliterate the name of the maker, model manufacturer's number, or other mark of identification on any pistol. Possession of any pistol upon which any such mark shall have been changed, altered, removed, or obliterated, shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same; provided, this section shall not apply to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

Squaxin Island Tribe Code of Ordinances

Codified through Resolution No. 21-77, passed December 9, 2021. (Supp. No. 20)

Title 9 – Law and Order

Chapter 9.12 – Law and Order Code

Article XXI – Firearms

Section 9.12.810. Definitions.

B. "Firearm" shall be defined as a weapon or device from which a projectile may be fired by an explosive such as gunpowder. Air guns and other guns fired by the release of compressed gas are firearms. Firearm shall also include any explosive, incendiary, or poison gas: (i) bomb; (ii) grenade; (iii) rocket having a propellant charge of more than four ounces; (iv) missile having an explosive or incendiary charge of more than one-quarter ounce; (v) mine; or (vi) similar device.

C. "Machine gun" shall be defined as any firearm or weapon known as a machine gun, mechanical rifle, submachine gun, and/or any other weapon, 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 such weapon, mechanism, or instrument, and fired therefrom at the rate of five or more shots per second.

D. "Shot firearm" or "pistol" as used in this chapter means any firearm with a barrel less than twelve (12) inches in length.

Section 9.12.825. Certain persons forbidden to possess firearms.

No person who has been convicted under this code or elsewhere of a crime of violence or of a felony in which a firearm has been used or displayed, shall own a pistol or short firearm or have one in his or her possession or under his or her control. Such person upon being convicted of a violation of this section shall be guilty of a felony.

Section 9.12.840. Sale or possession of machine guns, other guns.

A. No person shall sell, furnish, manufacture, or have in possession any:

1. Machine gun or any part thereof capable of use for assembling or repairing any machine gun;
2. Shotgun having a barrel(s) of less than eighteen (18) inches in length;
3. Weapon made from a shotgun if such a weapon as modified has an overall length of less than twenty-six (26) inches or a barrel(s) of less than eighteen (18) inches in length;
4. Rifle having a barrel(s) of less than sixteen (16) inches in length; or
5. Weapon made from a rifle if such weapon as modified has an overall length of less than twenty-six (26) inches or a barrel(s) of less than sixteen (16) inches in length.

B. No person shall set a spring gun.

C. Any violation of this section shall be a felony.

Section 9.12.860. Possession of firearms by a minor.

A. No minor under sixteen (16) years shall have in possession any firearm for hunting, target practice or any other purpose except;

1. While accompanied by or under the immediate charge of his or her parent or guardian or other adult approved for the purpose of this section by the parent or guardian; or
2. While under the supervision of a certified safety instructor at an established gun range or firearm training class.

Section 9.12.865. Delivery of pistol to certain persons.

A. No person shall deliver a pistol to any person under the age of twenty-one (21) years, or to one who he or she has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

B. Any violation of this section is a misdemeanor.

Section 9.12.875. Alteration of identifying marks.

A. No person shall change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark of identification on any firearm. Possession of any firearm upon which any such mark has been changed, altered, removed, or obliterated shall be prima facie evidence that the possessor changed, altered, removed, or obliterated the same.

B. Any violation of this section is a misdemeanor.

Sumas Code of Ordinances

Current through Resolution 1790, passed July 25, 2022.

**Title 4 – Business Licenses and Regulations
Chapter 4.05 – Pawnbrokers**

Section 4.05.050. Prohibited transactions.

It is unlawful for any licensee, his agent, employee or representative to:

- (3) To purchase, store or offer for sale or trade any new or used vehicles as defined under RCW 46.04.670; boats or other manufactured items which require registration with the Washington Department of Licensing; or any firearms, ammunition or deadly weapons defined as such under Chapter 9.41 RCW.

**Title 8 – Offenses – Peace, Safety and Morals
Chapter 8.44 – Firearms**

Section 8.44.040. Possession-restrictions.

No person who has been convicted in this state or elsewhere of a crime of violence, shall own a pistol or have one in his possession under his control.

Section 8.44.090. Sales regulated.

No seller shall deliver a pistol to the purchaser thereof until forty-eight hours shall have elapsed from the time of the application for the purchase thereof, and when delivered, the pistol shall be securely wrapped and shall be unloaded. At the time of applying for the purchase of a pistol the purchaser shall sign in triplicate and deliver to the seller a statement containing his full name, address, occupation, color, birthplace, the date and hour of application, the caliber, make, model and manufacturer's number of the pistol to be purchased and statement that he has never been convicted in this state or elsewhere of a crime of violence. The seller within six hours after the application shall sign and attach his address and forward by registered mail one copy of the statement to the chief of police; and the duplicate duly signed by the seller shall within seven days be sent by him with his address to the director of licenses; the triplicate he shall retain for six years. This section shall not apply to sales at wholesale.

Section 8.44.100. Dealers to be licensed.

No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed as provided by law under the requirements of RCW 9.4 1.110.

Section 8.44.110. Certain transfers forbidden.

No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge for a loan shall keep such records and make such reports as are provided by law for pawnbrokers and secondhand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person. No person shall lend or give a pistol to another or otherwise deliver a pistol contrary to the provisions of this chapter.

Section 8.44.120. Alteration of identifying marks prohibited.

No person shall change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark of identification on any pistol. Possession of any pistol upon which any such mark shall have been changed, altered, removed, obliterated, shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same.

Section 8.44.130. False information forbidden.

No person shall in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same give false information or offer false evidence of his identity.

Section 8.44.140. Exceptions.

This chapter does not apply to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

Section 8.44.150. Machine guns – prohibition.

It is unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or to have in possession, or under control, any machine gun, or any part thereof capable of use or assembling or repairing any machine gun; provided, however, that such limitation shall not apply to any police officer in the discharge of official duty, or to any officer or member of the armed forces of the United States or the state of Washington.

Section 8.44.160. Machine gun defined.

For the purpose of this chapter a machine gun is defined as any firearm or weapon known as a machine gun, mechanical rifle, submachine gun, and/or any other weapon, 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 weapon, mechanism, or instrument, and fired therefrom at a rate of five or more shots per second. (Ord. 654 § 7.16, 1968)

Section 8.44.170. Machine guns or parts contraband.

All machine guns, or parts thereof, illegally held or possessed are hereby declared to be contraband, and it shall be the duty of all police officers to seize the machine gun, or parts thereof, wherever and whenever found.

Sumner Code of Ordinances

Current through Ordinance 2829, passed July 18, 2022.

Title 18 – Zoning

Chapter 18.16 – Commercial Districts (NC, GC, IC)

Section 18.16.080. Performance standards.

The following special requirements and performance standards shall apply to properties located in the commercial districts:

K. Businesses selling firearms are prohibited from locating within 500 feet of public or private schools including preschools, elementary, junior high, and high school facilities.

Thurston County Code of Ordinances

Codified through Resolution No. 16154, adopted April 19, 2022. (Supp. No. 67, 6-22)

**Title 23 – Olympia Urban Growth Area Zoning
Chapter 23.05 – Villages and Centers**

Section 23.05.040. Permitted, special, required, and prohibited uses.

B. Prohibited and Unspecified Uses. Land uses which are not listed in Table 5.01 as permitted, special, or required uses are prohibited, unless they are authorized by the director consistent with Section 23.02.080, Interpretations. In no event, however, shall the following uses be permitted:

5. Sale of firearms;

Washougal Code of Ordinances

Current through Ordinance 1951, passed October 11, 2021.

**Title 9 – Public Peace, Safety and Morals
Chapter 9.28 – Dangerous Weapons**

Section 9.28.010. Firearm possession prohibited to person convicted of violent crime.

No person who has been convicted in this state or elsewhere of a crime of violence shall own a firearm or have one in his possession under his control.

Section 9.28.040. Pistol – License issuance, fee.

RCW 9.41.070 is hereby adopted by this reference as to licensing concealed pistols. The fee for such license shall be the maximum fee allowed by statute as set forth on the city's fee resolution which shall be paid into the city treasury.

Section 9.28.050. Pistol – Issuance restrictions.

No person shall deliver a pistol to any person under the age of 21 or to one who he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, a habitual drunkard, or of unsound mind.

Section 9.28.060. Pistol – Purchase procedure.

No seller shall deliver a pistol to the purchaser thereof until 72 hours shall have elapsed from the time of the application for the purchase thereof as provided herein, and, when delivered, the pistol shall be securely wrapped and unloaded.

At the time of applying for the purchase of a pistol the purchaser shall sign in duplicate and deliver to the seller an application containing his full name, address, occupation, place of birth, and the date and hour of the application; and a description of the weapon including the make, model, caliber and manufacturer's number; and a statement that he has never been convicted in this state or elsewhere of a crime of violence, drug addiction or habitual drunkenness, or is legally judged to be of unsound mind. The seller shall, by the end of the business day, sign and attach his address and deliver the original of such application to the chief of police of the municipality or the sheriff of the county of which the seller is a resident. The seller shall deliver the pistol to the purchaser following 72 hours thereafter unless the seller is notified in writing by the chief of police of the municipality or the sheriff of the county, whichever is applicable, denying the purchaser's application to purchase and the grounds. The application shall not be denied unless the purchaser has been convicted in this state or elsewhere of a crime of violence, drug addiction, or habitual drunkenness, or is legally judged to be of unsound mind. The chief of police of the municipality or the county sheriff shall maintain a file containing the original of the application to purchase a pistol.

Section 9.28.070. Pistol – Retail dealer – License required.

No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed as provided by law under the requirements of RCW 9.41.110, as the same now is or hereafter may be amended.

Section 9.28.080. Pistol – Loan security provisions.

No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge of a pistol. Any licensed dealer receiving a pistol as a deposit or pledge for a loan shall keep such records and make such reports as are provided by law for pawnbrokers and secondhand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person.

Section 9.28.090. Pistol – Identification alteration prohibited.

No person shall change, alter, remove or obliterate the name of the maker, model, manufacturer's number, or other mark of identification on any pistol. Possession of any pistol upon which any such mark shall have been changed, altered, removed, or obliterated shall be prima facie evidence that the possessor has changed, altered, removed, or obliterated the same. This shall not apply to replacement barrels in old revolvers, which barrels are produced by current manufacturers and therefore do not have the markings on the barrels of the original manufacturers who are no longer in business.

Section 9.28.100. Pistol – False information to obtain, prohibited.

No person shall, in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same, give false information or offer false evidence of his identity.

Section 9.28.110. Antique – Chapter exemptions.

The provisions of this chapter shall not apply to antique pistols and revolvers manufactured prior to 1898 and held as collector's items.

Section 9.28.120. Machine guns, illegally held, declared contraband.

All machine guns, or parts thereof, illegally held or possessed are declared to be contraband, and it shall be the duty of all police officers to seize the machine gun, or parts thereof, wherever and whenever found.

Section 9.28.130. Sale, manufacturing restrictions.

Every person who shall manufacture, sell or dispose of, or have in his possession, any instrument or weapon of the kind usually known as slingshot, sand club, zipgun, or metal knuckles; shall furtively carry, or conceal any dagger, dirk, knife, or other dangerous weapon or firearm; or who shall use any contrivance or device for suppressing the noise of any firearm, shall be guilty of a misdemeanor.

Section 9.28.140. Firearm defined.

"Firearm" includes but is not limited to mean any weapon or device capable of propelling a missile through the force of combustion or explosion of gunpowder or similar substance.

Westport Code of Ordinances

Current through Ordinance 1667, passed June 13, 2022.

Title 9 – Peace, Safety and Morals

Chapter 9.56 – Weapons

Section 9.56.010. Record of sales of revolvers – Inspection – Daily report.

It is unlawful for any merchant or secondhand dealer, or any clerk, agent or employee of any merchant or secondhand dealer, to sell, give away or dispose of any revolver or pistol to any person at retail, without entering in a book to be kept for that purpose, in the English language, written in ink, at the time of such sale or disposition, the name of the manufacturer, the number and caliber of such revolver or pistol, the name and address of the person to whom sold, given away or disposed of and the date of such sale, gift or disposition and requiring the person to whom such revolver or pistol is sold, given away or disposed of to sign his name, in ink, in such a book opposite the record of such transaction, or to fail, neglect or refuse to allow the chief of police or any police officer to inspect the record book at any reasonable time or to fail, neglect or refuse to send to the city clerk before the hour of 9:00 a.m. of any day, a complete transcript of the entries of the record book for the previous day.

Section 9.56.070. Dangerous weapons on school facilities prohibited.

(1) It is unlawful for a person to carry onto, or to possess on, public or private elementary or secondary school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools:

(A) Any firearm;

(2) Any such person violating subsection (1) of this section is guilty of a gross misdemeanor. If any person is convicted of a violation of subsection (1)(A) of this section, the person shall lose his or her concealed pistol license, if any. The court shall send notice of the revocation to the Department of Licensing, and the city, town or county which issued the license.

Any violation of subsection (1) of this section by elementary or secondary school students constitutes grounds for expulsion from the state public schools in accordance with RCW 28A.600.010. An appropriate school authority shall promptly notify law enforcement and the student's parent or guardian regarding any allegation or indication of such violation.

(3) Subsection (1) of this section does not apply to:

- (A) Any student or employee of a private military academy when on the property of the academy;
- (B) Any person engaged in military, law enforcement, or school district security activities;
- (C) Any person who is involved in a convention, showing, demonstration, lecture, or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;
- (D) Any person while the person is participating in a firearms or air gun competition approved by the school or school district;
- (E) Any person in possession of a pistol who has been issued a license under RCW 9.41.070, or is exempt from the licensing requirement by RCW 9.41.060, while picking up or dropping off a student;
- (F) Any nonstudent at least 18 years of age legally in possession of a firearm or dangerous weapon that is secured within an attended vehicle or concealed from view within a locked unattended vehicle while conducting legitimate business at the school;
- (G) Any nonstudent at least 18 years of age who is in lawful possession of an unloaded firearm, secured in a vehicle while conducting legitimate business at the school; or
- (H) Any law enforcement officer of the federal, state, or local government agency.

(5) Except as provided in subsection (3)(B), (C), (D) and (E) of this section, firearms are not permitted in a public or private school building.

Section 9.56.080. Delivery to ineligible persons.

No person may deliver a firearm to any person whom he or she has reasonable cause to believe is ineligible under RCW 9.41.040 to possess a firearm. Any person violating this section is guilty of a Class C felony, punishable under Chapter 9A.20 RCW.

Section 9.56.100. Possession of pistol by person from 18 to 21.

Unless an exception under RCW 9.41.042, 9.41.050 or 9.41.060 applies, a person at least 18 years of age, but less than 21 years of age, may possess a pistol only:

- (1) In the person’s place of abode;
- (2) At the person’s fixed place of business; or
- (3) On real property under his or her control.

Whitman County Code of Ordinances

Codified through (Covering Ordinances through 83974) (Supp. No. 18)

Title 19 – Zoning Code

Chapter 19.31 – Heavy Industrial District

Section 19.31.080. Conditional Uses and Administrative Permits.

A. Because of considerations of traffic, noise, lighting, hazards, health and environmental issues, the following uses shall not be permitted in the Heavy Industrial District unless a Conditional Use Permit authorizing such use has been granted by the Board of Adjustment; provided, however, that in situations described herein where an Administrative Use Permit may be granted in lieu of a Conditional Use Permit, the use of the land shall not be permitted until such time as an Administrative Use Permit has been granted by the County Planning Office:

- 4. Storage, manufacture or distribution of ammunition, explosives or other products with a designated destructive potential.

Woodland Code of Ordinances

Codified through Ordinance No. 1500, passed January 26, 2022 and Resolution No. 743, passed November 15, 2021. (Supp. No. 39)

Title 9 – Public Peace, Morals and Welfare

Chapter 9.72 – Parental Responsibility

Section 9.72.080. Firearms.

- A. It is unlawful for anyone to sell, give, furnish or cause to be furnished, or permit to be sold, given, furnished or cause to be furnished to any minor a pistol, rifle, shotgun or similar firearm, or any ammunition for the same.
- B. It is unlawful for a minor to purchase, possess, or use any firearm or any ammunition for the same.

C. In any prosecution under this section it is an affirmative defense that the firearm is being used or is about to be used immediately at a rifle range or that such minor is to immediately embark on a lawful animal hunt and such minor possesses a lawful hunting license and is accompanied by a person over the age of eighteen years.

D. Violation of this section is a misdemeanor.

Yacolt Code of Ordinances

Current through Ordinance 586, passed December 13, 2021.

Title 18 – Zoning

Chapter 18.35 – Light Manufacturing District (ML)

Section 18.35.020. Uses.

Table 6A lists examples of allowable uses in the ML district. Review of all proposed manufacturing uses is mandatory.

Table 6A

“C” – Conditional uses which may be permitted subject to the approval of a conditional use permit.

	ML
B. Assembly – Manufacture of Products	
15. Manufacture of guns.	C

Yakima Code of Ordinances

Current through Ordinance 2022-021, passed July 19, 2022.

Title 15 – Yakima Urban Area Zoning Ordinance

Chapter 15.04 – Permitted Land Uses

Section 15.04.120. Home occupations.

H. Home Occupations Not Permitted. The following uses, by the nature of their operation or investment, have a pronounced tendency, once started, to increase beyond the limits permitted for home occupations and impair the use and value of a residentially zoned area for residential purposes. Therefore, the uses listed below shall not be permitted as home occupations:

Yakima County Code of Ordinances

Current through Ordinance 3-2022, passed May 24, 2022.

Title 19 – Unified Land Development Code

Chapter 19.14 – Allowable Land Use Table

Section 19.14.010. Allowable Land Use Table.

(1) The following Table 19.14-1 indicates those uses which may be permitted through Type 1, 2, 3 or 4 review in the various zoning districts defined in this title. In addition to Table 19.14-1, reference to the individual zoning districts and, where indicated, the notes following the table and definitions of 19.01.070, is necessary in order to determine if any specific requirements apply to the listed use.

(2) Uses. The uses set out in Table 19.14-1 are examples of uses allowed in the various zoning districts defined in this title. The appropriate review authority is mandatory. See YCC Title 16B for more explicit definitions of Type 1, 2, 3, and 4 uses/reviews.

“Type 2” Uses allowed upon Type 2 administrative review and approval as set forth in Section 19.30.030 uses subject to review and approval. Type 2 uses require administrative review by the Administrative Official and may be referred to the Hearing Examiner. The Hearing Examiner will review such uses using Type 2 approval criteria.

“Type 3” Uses which may be authorized subject to the approval of a conditional use permit as set forth in Section 19.30.030. Type 3 conditional uses are not generally appropriate throughout the zoning district. Type 3 uses require Hearing Examiner review of applications subject to a Type 3 review under the procedures of Section 19.30.100 and YCC Subsection 16B.03.030(1)(c).

“Blank” Uses specifically prohibited.

A higher level of review may be required for a use located within one or more overlay districts, designated in Chapter 19.17, or where circumstances merit a higher level of review as described in Section 19.30.030. Where a use is not listed, it is specifically prohibited or subject to a similar use interpretation in Chapter 19.31.

Table 19.14-1 Allowable Land Uses

	AG	FW	MIN	R/ELDP	R-10/5	RT	RS	HTC	SR	R-1	R-2	R-3	B-1	B-2	SCC	LCC	GC	M-1	M-2	
Manufacturing																				
Explosives and ammunition																				

Chapter 19.18 – Special Uses and Standards

Section 19.18.240. Home Businesses.

(5) Uses Not Permitted as Home Businesses in Urban Growth Areas, RT, or RS Zones. In addition to the uses listed above, the following uses have characteristics that would impair the use and value of a residentially zoned area for residential purposes. Therefore, the uses listed below shall not be permitted as home businesses within Urban Growth Areas or areas zoned Rural Transitional or Rural Settlement:

- (f) Firearms sales, except orders by mail, and/or gunsmiths.

Yelm Code of Ordinances

Current through Ordinance 1073, passed April 13, 2021.

Title 9 – Public Peace, Morals and Welfare

Chapter 9.32 – Weapons

Section 9.32.010. Definitions.

The following definitions shall apply to this chapter:

- A. “Crime of violence”** means any of the following crimes or an attempt to commit any of the same: murder, manslaughter, rape, riot, mayhem, first-degree assault, second-degree assault, robbery, burglary and kidnapping.
- B. “Pistol”** means any firearm with a barrel less than 12 inches in length.
- C. “Shotgun, rifle or muzzle-loading firearm”** means any firearm with a barrel more than 12 inches in length.

Section 9.32.020. Pistol – Forbidden to certain persons.

No person, who has been convicted, in this state or elsewhere of a crime of violence, who is a drug addict, or who has been confined in a mental institution, shall own a pistol or have one in his possession or under his control.

Section 9.32.050. Pistol – Delivery to certain persons prohibited.

No person shall deliver a pistol to any person under the age of 18 years or to one who he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, or of unsound mind.

Section 9.32.060. Pistol – Retail dealers – License required.

No retail dealers shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell or otherwise transfer any pistol without being licensed as provided by law under the requirements of RCW 9.41.110.

Section 9.32.070. Pistol – Certain transfers restricted – Dealers’ recordkeeping requirements.

No persons other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge of any pistol. Any licensed dealer receiving a pistol as a deposit or pledge for a loan shall keep such records and make such reports as they are provided by law for pawnbrokers and secondhand dealers as provided by Chapter 19.60 RCW. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person.

Section 9.32.080. Pistol – Alteration of identifying mark prohibited – Possession deemed prima facie evidence.

No person shall change, alter, remove or obliterate the name of the maker, model, manufacturer’s number or other mark of identification on any pistol. Possession of any pistol upon which any such mark shall have been changed, altered, removed or obliterated, shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same.

Section 9.32.090. Pistol – False information for procuring prohibited.

No person shall, in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same, give false information or offer false evidence of his identity.