

Judicial Impact Fiscal Note

Bill Number: 1747 HB	Title: Firearms storage	Agency: 055-Admin Office of the Courts
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Part I: Estimates

No Fiscal Impact

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.

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Request # 1747 HB-1

Part II: Narrative Explanation

This bill would create the crime of child endangerment due to unsafe storage of a firearm. The bill would require a firearms dealer, when selling a firearm, to offer to sell or give the purchaser a locked box, a lock, or a device that prevents the firearm from discharging.

Part II.A – Brief Description of what the Measure does that has fiscal impact on the Courts

If enacted, this bill would add a new section to RCW 9.41.

Section 2 (1) – A person who stores or leaves a firearm in a location where the person knows, or reasonably should know, that a child is likely to gain access:

- (a) Would be guilty of child endangerment due to unsafe storage of a firearm in the first degree if a child obtains access and possession of the firearm and the child causes personal injury or death with the firearm; or
- (b) Would be guilty of child endangerment due to unsafe storage of a firearm in the second degree if the child obtains access and possession of the firearm and the child: (i) causes the firearm to discharge; (ii) exhibits the firearm in a public place or in an angry, threatening, or careless manner; or (iii) uses the firearm in the commission of a crime.

Section 2(2)(a) – Child endangerment due to unsafe storage of a firearm in the first degree would be defined as a gross misdemeanor punishable according to RCW 9A.20.

Section 2(2)(b) – Child endangerment due to unsafe storage of a firearm in the second degree would be defined as a misdemeanor punishable according to RCW 9A.20.

Section 2(4) – A prosecuting attorney would be allowed to decline to prosecute, even though technically sufficient evidence to prosecute exists, in situations where prosecution would serve not public purpose, would defeat the purpose of the law in question, or would result in decreased respect for the law.

Section 3(1)(2)(3) – Firearms dealers, stores, shops, or sales outlets would be required to offer to sell or give the purchaser of a firearm a locked box, a lock, or a device that prevents the firearm from discharging. Firearms dealers, stores, shops, or sales outlets would be required to prominently display warning signs, provided by the Department of Licensing (DOL) that state “YOU MAY FACE CRIMINAL PROSECUTION IF YOU STORE OR LEAVE AN UNSECURED FIREARM WHERE A CHILD CAN AND DOES OBTAIN POSSESSION.” Firearms dealers, stores, shops, or sales outlets would be required to deliver a written warning to the purchaser or transferee of a firearm that states “YOU MAY FACE CRIMINAL PROSECUTION IF YOU STORE OR LEAVE AN UNSECURED FIREARM WHERE A CHILD CAN AND DOES OBTAIN POSSESSION.”

Section 3(4) – Every person who violates the provisions of Section 3 would be guilty of a class 3 civil infraction and may be fined up to fifty dollars.

II.B - Cash Receipt Impact

Indeterminate. The Administrative Office of the Courts (AOC) does not have data available to estimate the number of trials/hearings that would result from this bill.

II.C – Expenditures

Indeterminate. The AOC does not have data available to estimate the number of trials/hearings that would result from this bill.

Judges would need to be trained regarding the new crimes. This would be handled during routine training opportunities.

Changes would be required to the law table and other system tables to create new laws and penalties. This would be handled during routine law table maintenance processes.