



**TO:** T.C. Broadnax, City Manager  
**FROM:** Anita Gallagher, Management Analyst-II, City Manager’s Office  
**COPY:** City Council and City Clerk  
**SUBJECT:** Resolution – Council Support for Initiative Measure No. 594  
**DATE:** September 23, 2014

**SUMMARY:**

A resolution expressing support for the passage of Initiative Measure No. 594 submitted for the November 4, 2014 General Election which reads as follows:

**GENERAL ELECTION- INITIATIVE MEASURE NO. 594**

Initiative Measure No. 594 concerns background checks for firearm sales and transfers.

This measure would apply currently used criminal and public safety background checks by licensed dealers to all firearm sales and transfers, including gun show and online sales, with specific exceptions.

Should this measure be enacted into law?

Yes

No

**COUNCIL SPONSORS:**

Mayor Marilyn Strickland, Deputy Mayor Woodards, and Council Members Mello and Walker

**STRATEGIC POLICY PRIORITY:**

The requested Resolution aligns with the City Council’s Strategic Policy Priority to strengthen and support **Public Safety, Human Services, Public Education, and Diverse Higher Learning Opportunities** in Tacoma.

**BACKGROUND:**

As the federal law is currently written, a background check is required for all types of firearms, but only if the seller is a firearms dealer. There are exceptions to the law, including instances in which the buyer holds a concealed pistol license. Additionally, federal law allows for the dealer to complete the sale if the results of the background check are not returned within three business days.

As the Washington State law is currently written, a background check is only required for the sale of a pistol, and only if the seller is a firearms dealer. Similar to the federal law, there are exceptions, including instances in which the buyer has obtained a concealed pistol license; and if the sheriff or police chief fails to provide the results of the background check within five business days, the dealer can proceed with the sale.

Initiative Measure No. 594 would apply the background check requirements currently used for firearm sales by licensed dealers to all firearm sales and transfers in which at least one party is in Washington State. Background checks would be required for firearm sales and transfers at gun shows, online, and between unlicensed private individuals. Background checks would be required for any sale or transfer of



a firearm, with specific exceptions. The requirement would apply to all firearm sales or transfers, not just pistols.

The City of Tacoma organization has made gun safety a high priority. On May 6, 2014, the Tacoma City Council passed Resolution 38901 requiring that background checks be performed for firearm sales occurring on City-owned and/or City-managed property. Additionally, the City is preparing to launch its “Gun Safe-T” initiative, part of the Tacoma Gang Reduction Project, which will educate residents on gun safety practices.

**ISSUE:**

As the state and federal laws are currently written, criminal background checks are only required for buyers who intend to purchase a firearm from a licensed dealer. Those individuals who wish to avoid submitting to a background check can purchase firearms at gun shows or via the Internet. Initiative Measure No. 594 seeks to strengthen the existing law by ensuring that private gun sales go through the same process as those processed through a licensed dealer.

If enacted into law, Initiative Measure No. 594 would close the loophole that allows firearm buyers to avoid undergoing a background check, which would help prevent guns from getting into the hands of those who have been convicted of serious crimes. A similar law that was passed in the State of Colorado prevented 72 firearm sales to criminals within a five-month period.

**ALTERNATIVES:**

The Council could choose to not support the requested Resolution.

**RECOMMENDATION:**

The recommendation is that the Council adopt the Resolution of support for Initiative Measure No. 594.

**FISCAL IMPACT:**

There is no fiscal impact.