



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

November 19, 2018

R&R BOH18-04

Proposed No. BOH18-04.2

Sponsors

1 A RULE AND REGULATION relating to disclosure of
2 information on health risks related to firearms; adding a
3 new chapter to Title 23 to the BOH Code and prescribing
4 penalties; enacted pursuant to RCW 70.05.060, including
5 the latest amendments or revisions thereto.

6 BE IT ADOPTED BY THE KING COUNTY BOARD OF HEALTH:

7 SECTION 1. Findings:

8 A. According to the Centers for Disease Control and Prevention's Wide-ranging
9 Online Data for Epidemiologic Research, also known as WONDER, in the United States,
10 thirty-six thousand two hundred forty-seven people died in 2015 as a result of firearms.
11 That is just fewer than the thirty-eight thousand eight hundred eighteen deaths resulting
12 from motor vehicle incidents. Of these firearm deaths, sixty-one percent were suicides
13 and thirty-six percent were homicides.

14 B. The Washington state Department of Health data show that in 2015, firearms
15 were the third leading cause of injury-related death in Washington state, killing
16 approximately seven hundred fourteen Washington residents. Of those firearm deaths,
17 seventy-five percent were suicides and firearm suicides accounted for forty-seven percent
18 of all suicides in Washington state in 2015. In King County, firearms caused the death
19 of one hundred forty-six King County residents. King County residents comprised

20 twenty percent of the firearm deaths statewide.

21 C. According to the 2015 Washington Association of Sheriffs and Police Chiefs
22 Annual Report, sixty-two percent of homicides in Washington State were committed with
23 firearms.

24 D. The Washington state Department of Health data show that in 2015, in King
25 County, six youth, age seventeen and younger, died as a result of firearms and nine other
26 youth were hospitalized. Statewide, thirty-nine youth died as a result of firearms in 2015
27 and an additional thirty youth were hospitalized. That is the equivalent of a youth being
28 killed by gunfire every nine days. King County youth represent fifteen of all youth killed
29 and thirty of all youth hospitalized, as a result of firearms statewide.

30 E. The Washington state Department of Health data show that in 2015 twenty-
31 eight homicides occurred among youth age seventeen and younger and, of those,
32 seventeen, which is sixty-one percent, died as a result of firearm homicides.

33 F. Between 2013 and 2015, the Washington state Department of Health data
34 show that twenty-five youth, age seventeen and younger, died by suicide in King County,
35 of which seven used firearms. During this period, one hundred eighteen youth died by
36 suicide in Washington and forty-seven of these youth died from firearm suicide. King
37 County youth represent twenty-one percent of youth suicide and fifteen percent of
38 suicides from firearm statewide.

39 G. The Washington state Department of Health data also indicate that ninety-five
40 King County residents were hospitalized for nonfatal firearm injuries, including nine
41 youth, age seventeen and younger, in 2015. Three hundred eight Washington state
42 residents were hospitalized for nonfatal firearm injuries in 2015, including thirty youth

43 age seventeen and younger. King County residents represent thirty percent of all nonfatal
44 firearm injuries statewide, and approximately thirty percent of all nonfatal firearm
45 injuries among youth.

46 H. The Washington state Department of Health data indicate that eight youth, age
47 seventeen and younger, in King County, and seventeen youth statewide, were
48 hospitalized for firearm assault injuries in Washington in 2015. King County youth
49 accounted for forty-seven percent of these nonfatal injury hospitalizations.

50 I. According to the Centers for Disease Control and Prevention's Web-based
51 Injury Statistics Query and Reporting System, also known as WISQARS, in 2015, in the
52 King County area, firearm fatalities cost almost two hundred million dollars in medical
53 costs and lost productivity.

54 J. The January 21, 2014 Annals of Internal Medicine report finds that
55 adolescents, between the ages of ten and nineteen years, with access to firearms are 2.6
56 times as likely to die by suicide as adolescents without access to firearms.

57 K. The December 2008 Journal of Adolescent Health study of adolescent
58 (between the ages of ten and nineteen years) suicides by firearm found that over half
59 were carried out with firearms from the adolescents' homes. More than seventy-five
60 percent of firearms used in suicide attempts and unintentional injuries were stored in the
61 residence of the victim, a relative or a friend.

62 L. The Washington state Behavioral Risk Factor Surveillance System estimated
63 thirty-four percent of Washington adults at least eighteen years old, which is one million
64 eight hundred twenty-five thousand people, reported having a firearm in or around their
65 home in 2015. Just under half of these adults, which is forty-six percent or eight hundred

66 thirty-nine thousand people, reported having an unlocked firearm. Access to firearms,
67 including storage practices, are a known risk factor for firearm suicide, especially among
68 youth age seventeen and younger.

69 M. The Washington state Behavioral Risk Factor Surveillance System finds that,
70 in 2015, approximately twenty-one percent of King County adults, which is three
71 hundred forty-thousand people, reported firearms present in or around their homes.
72 Among those adults, an estimated thirty-one percent, which is one hundred five thousand
73 people, stored firearms loaded and an estimated forty-three percent, which is one hundred
74 fifty thousand people, stored firearms unlocked. Approximately fifteen percent, which is
75 fifty-one thousand people, of firearm owners reported storing them loaded and unlocked.

76 N. The June 2004 study from the American Journal of Epidemiology concluded
77 that those persons with guns in the home were at greater risk than those without guns in
78 the home of dying from homicide, firearm homicide, suicide and firearm suicide.

79 O. According to various Public Health - Seattle & King County analysis on
80 firearm violence in King County, firearm violence has a disproportionate impact on
81 communities of color, and children of color are victims of homicide by firearms at a
82 higher rate than white children in King County.

83 P. A June 2006 National Institute of Health study on the effectiveness of cigarette
84 warning labels in informing smokers about the risks of smoking found evidence that
85 smokers who noticed the warnings were significantly more likely to "endorse" (or
86 recognize) health risks of cigarette smoking. The study also found that warnings that are
87 graphic, larger and more comprehensive in content are more effective in communicating
88 the health risks. Based on that study, the King County Board of Health finds that

89 providing health risk warnings of firearms at the time of sale and transfer and at shooting
90 ranges would be beneficial to promote the dangers of firearms.

91 SECTION 2. There is hereby created a new Title 23 in the Board of Health Code,
92 to be named Disclosure of Information on Health Risks Related to Firearms.

93 SECTION 3. Sections 4 through 7 of this rule and regulation should constitute a
94 new chapter in BOH Title 23.

95 NEW SECTION. SECTION 4. Purposes and policy declared.

96 A. This chapter is enacted as an exercise of the board of health powers of King
97 County to protect and preserve the public peace, health, safety and welfare. Its
98 provisions shall be liberally construed for the accomplishment of these purposes.

99 B. It is expressly the purpose of this chapter to provide for and promote the
100 health, safety and welfare of the general public, and not to create or otherwise establish or
101 designate any particular class or group of persons who will or should be especially
102 protected or benefited by this chapter.

103 C. It is the specific intent of this chapter to place the obligation of complying
104 with its requirements upon the owner of each establishment within its scope, and no
105 provision nor term used in this title is intended to impose any duty whatsoever upon King
106 County or any of its officers or employees, for whom the implementation or enforcement
107 of this title shall be discretionary and not mandatory.

108 D. Nothing contained in this chapter is intended to be nor shall be construed to
109 create or form the basis for any liability on the part of King County, or its officers,
110 employees or agents, for any injury or damage resulting from the failure of any person
111 subject to this chapter to comply with this chapter, or by reason or in consequence of any

112 act or omission in connection with the implementation or enforcement of this chapter on
113 the part of King County by its officers, employees or agents.

114 NEW SECTION. SECTION 5. Definitions. The definitions in this section apply
115 throughout this chapter unless the context clearly requires otherwise.

116 A. "Dealer" means a person engaged in the business of selling firearms at
117 wholesale or retail who has, or is required to have, a federal firearms license under 18
118 U.S.C. Sec. 923(a). A person who does not have, and is not required to have, a federal
119 firearms license under 18 U.S.C. Sec. 923(a), is not a dealer if that person makes only
120 occasional sells, exchanges or purchases of firearms for the enhancement of a personal
121 collection or for a hobby, or sells all or part of the person's personal collection of
122 firearms.

123 B. "Firearm" means a weapon or device from which a projectile or projectiles
124 may be fired by an explosive such as gunpowder. "Firearm" does not include a flare gun
125 or other pyrotechnic visual distress signaling device, or a powder-actuated tool or other
126 device designed solely to be used for construction purposes.

127 C. "Operator" means the operating license applicant, and any of its officers,
128 directors, partners or owners for a shooting sports facility.

129 D. "Sale" means the actual approval of the delivery of a firearm in consideration
130 of payment or promise of payment.

131 E. "Shooting sports facility" means a facility designed and specifically delineated
132 for safe shooting practice with firearms.

133 F. "Site" means the facility where a sale and transfer of firearms is conducted.

134 G. "Transfer" means the intended delivery of a firearm from a dealer to another

135 person without consideration of payment or promise of payment including, but not
136 limited to, gifts and loans. "Transfer" does not include the delivery of a firearm owned or
137 leased by an entity licensed or qualified to do business in the state of Washington to, or
138 return of such a firearm by, any of that entity's employees or agents, which includes
139 volunteers participating in an honor guard, for lawful purposes in the ordinary course of
140 business.

141 NEW SECTION. SECTION 6. Disclosure.

142 A. For all firearm sales, a dealer shall disseminate to purchaser the information as
143 described in subsection D. of this section by posting a sign that shall be posted
144 conspicuously, in a manner that it is easily read, at the entrance of the site and at least one
145 additional area where sales occur. The notice shall not contain other statements or
146 markings.

147 B. For all firearm transfers, a dealer shall disseminate to transferee the
148 information as described in subsection D. of this section by posting a sign that shall be
149 posted conspicuously, in a manner that it is easily read, at the entrance of the site and at
150 least one additional area where transfer occur. The notice shall not contain other
151 statements or markings.

152 C. At all times, the operator of a shooting sports facility shall disseminate to its
153 customers the information as described in subsection D. of this section by posting a sign
154 that shall be posted conspicuously, in a manner that it is easily read, at the entrance of the
155 shooting sports facility and at all areas where shootings occur. The notice shall not
156 contain other statements or markings.

157 D. The following information shall be on a sign that is at least a letter size, which

158 is eight and one-half inches by eleven inches, paper and written in at least thirty-point
159 type: "WARNING: The presence of a firearm in the home significantly increases the risk
160 of suicide, homicide, death during domestic violence disputes and unintentional deaths to
161 children, household members and others. (King County Board of Health chapter 23.xx
162 (this chapter)) If you or a loved one is experiencing distress and/or depression, call the
163 Crisis Connections immediately at (866) 427-4747, available 24 hours a day or visit
164 www.crisisconnections.org.

165 E. The director of Public Health - Seattle & King County shall make available a
166 downloadable sign as described in subsection D. of this section in English, Spanish,
167 Vietnamese, Russian, Somali, Chinese, Korean, Ukrainian, Amharic and Punjabi on the
168 Public Health - Seattle & King County Internet web site.

169 **NEW SECTION. SECTION 7. Enforcement - penalties.**

170 A. The director of Public Health - Seattle & King County is authorized to enforce
171 this chapter in accordance with BOH chapter 1.08 and consistent with subsection B. of
172 this section.

173 B. When violations of this chapter occur, a warning shall first be given to the
174 dealer, or operator as applicable, or other person in charge of the site. Any subsequent
175 violation is subject to a civil penalty of up to one hundred dollars. Each day upon which
176 a violation occurs or is permitted to continue constitutes a separate violation.

177 C. Only specifically designated enforcement staff of Public Health - Seattle &
178 King County may enforce this chapter and monitor compliance, to ensure appropriate
179 signage is posted at facilities.

180 **SECTION 8. Severability.** If any provision of this rule or its application to any

181 person or circumstance is held invalid, the remainder of the rule or the application of the
182 provision to other persons or circumstances is not affected.
183

R&R BOH18-04 was introduced on and passed as amended by the Board of Health on 11/15/2018, by the following vote:

Yes: 11 - Ms. Lambert, Dr. Danielson, Ms. Bagshaw, Mr. McDermott,
Mr. Dembowski, Dr. Daniell, Ms. Birney and Ms. Mosqueda
No: 0
Excused: 2 - Ms. Honda and Ms. Juarez

KING COUNTY BOARD OF HEALTH
KING COUNTY, WASHINGTON



Rod Dembowski, Chair

ATTEST:



Melani Pedroza, Clerk of the Board

Attachments: None