
HOUSE BILL 2475

State of Washington 63rd Legislature 2014 Regular Session

By Representatives Overstreet, Shea, Taylor, Scott, Buys, and MacEwen

Read first time 01/20/14. Referred to Committee on Judiciary.

1 AN ACT Relating to making state law consistent with federal law
2 regarding short-barreled shotguns and short-barreled rifles; and
3 amending RCW 9.41.190.

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

5 **Sec. 1.** RCW 9.41.190 and 1994 sp.s. c 7 s 420 are each amended to
6 read as follows:

7 (1) Except as otherwise provided in this section, it is unlawful
8 for any person to manufacture, own, buy, sell, loan, furnish,
9 transport, or have in possession or under control, any machine gun,
10 short-barreled shotgun, or short-barreled rifle; or any part designed
11 and intended solely and exclusively for use in a machine gun, short-
12 barreled shotgun, or short-barreled rifle, or in converting a weapon
13 into a machine gun, short-barreled shotgun, or short-barreled rifle; or
14 to assemble or repair any machine gun, short-barreled shotgun, or
15 short-barreled rifle.

16 (2) It is not unlawful for a person to possess, transport, acquire,
17 or transfer a short-barreled shotgun or short-barreled rifle that is
18 legally registered and possessed, transported, acquired, or transferred
19 in accordance with federal law.

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

2 (a) Any peace officer in the discharge of official duty or
3 traveling to or from official duty, or to any officer or member of the
4 armed forces of the United States or the state of Washington in the
5 discharge of official duty or traveling to or from official duty; or

6 (b) A person, including an employee of such person if the employee
7 has undergone fingerprinting and a background check, who or which is
8 exempt from or licensed under federal law, and engaged in the
9 production, manufacture, repair, or testing of machine guns, short-
10 barreled shotguns, or short-barreled rifles:

11 (i) To be used or purchased by the armed forces of the United
12 States;

13 (ii) To be used or purchased by federal, state, county, or
14 municipal law enforcement agencies; or

15 (iii) For exportation in compliance with all applicable federal
16 laws and regulations.

17 ((+3)) (4) It shall be an affirmative defense to a prosecution
18 brought under this section that the machine gun(~~(, short barreled~~
19 ~~shotgun, or short barreled rifle)~~) was acquired prior to July 1, 1994,
20 and is possessed in compliance with federal law.

21 ((+4)) (5) Any person violating this section is guilty of a class
22 C felony.

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