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HOUSE BILL 1722

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State of Washington

64th Legislature

2015 Regular Session

By Representatives Hayes, Blake, Sawyer, Manweller, Takko, Shea, Rodne, Taylor, McCaslin, and MacEwen

Read first time 01/27/15. Referred to Committee on Judiciary.

1 AN ACT Relating to the manufacture and repair of short-barreled  
2 rifles; and amending RCW 9.41.190.

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

4 **Sec. 1.** RCW 9.41.190 and 2014 c 201 s 1 are each amended to read  
5 as follows:

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

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

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

20 (a) Any peace officer in the discharge of official duty or  
21 traveling to or from official duty, or to any officer or member of

1 the armed forces of the United States or the state of Washington in  
2 the discharge of official duty or traveling to or from official duty;  
3 ((~~or~~))

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

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

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

13 (iii) For exportation in compliance with all applicable federal  
14 laws and regulations; or

15 (c) A person, including an employee of such person if the  
16 employee has undergone fingerprinting and a background check, who or  
17 which is exempt from or licensed under federal law, and engaged in  
18 the production, manufacture, repair, or testing of short-barreled  
19 rifles to be used or purchased by a person who is not otherwise  
20 disqualified from possessing, transporting, acquiring, or  
21 transferring a short-barreled rifle and the short-barreled rifle is  
22 legally registered and possessed, transported, acquired, or  
23 transferred in accordance with federal law.

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

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

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