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**SUBSTITUTE SENATE BILL 6165**

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**State of Washington**

**64th Legislature**

**2016 Regular Session**

**By** Senate Law & Justice (originally sponsored by Senators Takko, Pearson, Sheldon, and Benton)

1 AN ACT Relating to short-barreled rifles; and amending RCW  
2 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:

8 (a) Manufacture, own, buy, sell, loan, furnish, transport, or  
9 have in possession or under control, any machine gun, short-barreled  
10 shotgun, or short-barreled rifle; ((e))

11 (b) Manufacture, own, buy, sell, loan, furnish, transport,  
12 repair, or have in possession or under control, any part designed and  
13 intended solely and exclusively for use in a machine gun, short-  
14 barreled shotgun, or short-barreled rifle, or in converting a weapon  
15 into a machine gun, short-barreled shotgun, or short-barreled rifle;  
16 or ((t))

17 (c) Assemble or repair any machine gun, short-barreled shotgun,  
18 or short-barreled rifle.

19 (2) It is not unlawful for a person to ~~((possess, transport,~~  
20 ~~acquire, or transfer a short-barreled rifle that is legally~~  
21 ~~registered and possessed, transported, acquired, or transferred in~~

1 accordance)) manufacture, own, buy, sell, loan, furnish, transport,  
2 repair, or have in possession or under control, a short-barreled  
3 rifle, or any part designed or intended solely and exclusively for  
4 use in a short-barreled rifle or in converting a weapon into a short-  
5 barreled rifle, if the person is in compliance with applicable  
6 federal law.

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

8 (a) Any peace officer in the discharge of official duty or  
9 traveling to or from official duty, or to any officer or member of  
10 the armed forces of the United States or the state of Washington in  
11 the discharge of official duty or traveling to or from official duty;  
12 or

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

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

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

22 (iii) For exportation and sale in state in compliance with all  
23 applicable federal laws and regulations.

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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