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SENATE BILL 6165

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State of Washington

64th Legislature

2016 Regular Session

By Senator Takko

Prefiled 01/06/16.

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, or  
12 have in possession or under control, any part designed and intended  
13 solely and exclusively for use in a machine gun, short-barreled  
14 shotgun, or short-barreled rifle, or in converting a weapon into a  
15 machine gun, short-barreled shotgun, or short-barreled rifle; or  
16 ((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 or have in possession or under control, a short-barreled rifle, or  
3 any part designed or intended solely and exclusively for use in a  
4 short-barreled rifle or in converting a weapon into a short-barreled  
5 rifle, if the person is in compliance with applicable federal law.

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

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

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

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

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

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

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

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

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