
SENATE BILL 6076

State of Washington

66th Legislature

2020 Regular Session

By Senators Kuderer and Darneille; by request of Governor Inslee and Attorney General

Prefiled 12/16/19.

1 AN ACT Relating to assault weapons and large capacity magazines;
2 adding new sections to chapter 9.41 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 9.41 RCW
5 to read as follows:

6 For purposes of sections 2 and 3 of this act only, the following
7 terms have the following meanings:

8 (1) "Assault weapon" means:

9 (a) Any of the following specific firearms or a copycat weapon,
10 regardless of which company produced and manufactured the firearm:

11 (i) AK-47 in all forms;

12 (ii) AK-74 in all forms;

13 (iii) Algimec AGM-1 type semi-auto;

14 (iv) American Arms Spectre da Semiautomatic carbine;

15 (v) AR15, M16, or M4 in all forms;

16 (vi) AR 180 type semi-auto;

17 (vii) Argentine L.S.R. semi-auto;

18 (viii) Australian Automatic;

19 (ix) Auto-Ordnance Thompson M1 and 1927 Semi-Automatics;

20 (x) Barrett .50 cal light semi-auto;

21 (xi) Barrett .50 cal M87;

1 (xii) Barrett .50 cal M107A1;
2 (xiii) Barrett REC7;
3 (xiv) Beretta AR70/S70 type semi-auto;
4 (xv) Bushmaster Carbon 15;
5 (xvi) Bushmaster ACR;
6 (xvii) Bushmaster XM-15;
7 (xviii) Bushmaster MOE;
8 (xix) Calico models M100 and M900;
9 (xx) CETME Sporter;
10 (xxi) CIS SR 88 type semi-auto;
11 (xxii) Colt CAR 15;
12 (xxiii) Daewoo K-1;
13 (xxiv) Daewoo K-2;
14 (xxv) Dragunov Semi-Auto;
15 (xxvi) Fabrique Nationale FAL in all forms;
16 (xxvii) Fabrique Nationale F2000;
17 (xxviii) Fabrique Nationale L1A1 Sporter;
18 (xxix) Fabrique Nationale M249S;
19 (xxx) Fabrique Nationale PS90;
20 (xxxii) Fabrique Nationale SCAR;
21 (xxxiii) FAMAS .223 Semi-Auto;
22 (xxxiv) Galil;
23 (xxxv) Heckler & Koch G3 in all forms;
24 (xxxvi) Heckler & Koch HK-41/91;
25 (xxxvii) Heckler & Koch HK-43/93;
26 (xxxviii) Heckler & Koch HK94A2/3;
27 (xxxix) Heckler & Koch MP-5 in all forms;
28 (xl) Heckler & Koch PSG-1;
29 (xli) Heckler & Koch SL8;
30 (xlii) Heckler & Koch UMP;
31 (xliii) Manchester Arms Commando MK-45;
32 (xliv) Manchester Arms MK-9;
33 (xlv) SAR-4800;
34 (xlvi) SIG AMT SG510 in all forms;
35 (xlvii) SIG SG550 in all forms;
36 (xlviii) SKS;
37 (xlix) Spectre M4;
38 (l) Springfield Armory BM-59;
39 (li) Springfield Armory G3;
40 (lii) Springfield Armory SAR-8;

1 (lii) Springfield Armory SAR-48;
2 (liii) Springfield Armory SAR-3;
3 (liv) Springfield Armory M-21 Sniper;
4 (lv) Springfield Armory M1A;
5 (lvi) Smith & Wesson M&P 15;
6 (lvii) Sterling Mk 1;
7 (lviii) Sterling Mk 6/7;
8 (lix) Steyr AUG;
9 (lx) TNW M230;
10 (lxi) FAMAS F11; or
11 (lxii) Uzi 9mm carbine/rifle;
12 (b) A semiautomatic, centerfire, or rimfire rifle that has an
13 overall length of less than thirty inches; or
14 (c) A conversion kit, part, or combination of parts, from which
15 an assault weapon can be assembled if those parts are in the
16 possession or under the control of the same person.
17 "Assault weapon" does not include antique firearms, any firearm
18 that has been made permanently inoperable, any firearm that is
19 manually operated by bolt, pump, lever, or slide action, or a pistol
20 that is not identified in (a) of this subsection and does not meet
21 the description in subsection (2) of this section.
22 (2) "Copycat weapon" means a semiautomatic, centerfire firearm
23 that has the capacity to accept a detachable magazine and has one or
24 more of the following:
25 (a) A pistol grip that protrudes conspicuously beneath the action
26 of the weapon, unless the firearm is a pistol as defined in this
27 section;
28 (b) Thumbhole stock;
29 (c) Folding or telescoping stock;
30 (d) Forward pistol, vertical, angled, or other grip designed for
31 use by the nonfiring hand to improve control during a high rate of
32 fire;
33 (e) Flash suppressor, flash guard, flash eliminator, flash hider,
34 sound suppressor, silencer, or any item designed to reduce the visual
35 or audio signature of the firearm;
36 (f) Muzzle brake, recoil compensator, or any item designed to be
37 affixed to the barrel to reduce recoil or muzzle rise;
38 (g) Threaded barrel designed to attach a flash suppressor, sound
39 suppressor, muzzle break, or similar item; or
40 (h) Grenade launcher or flare launcher.

1 (3) "Detachable magazine" means an ammunition feeding device that
2 can be loaded or unloaded while detached from a firearm and readily
3 inserted into a firearm.

4 (4) "Large capacity magazine" means an ammunition feeding device
5 with the capacity to accept more than ten rounds of ammunition, or
6 any conversion kit, part, or combination of parts, from which such a
7 device can be assembled if those parts are in the possession or under
8 the control of the same person, but shall not be construed to include
9 any of the following:

10 (a) An ammunition feeding device that has been permanently
11 altered so that it cannot accommodate more than ten rounds of
12 ammunition;

13 (b) A twenty-two caliber tube ammunition feeding device; or

14 (c) A tubular magazine that is contained in a lever-action
15 firearm.

16 (5) "Semiautomatic" means any firearm that uses a portion of the
17 energy of a firing cartridge to extract the fired cartridge case and
18 chamber the next round, and that requires a separate pull of the
19 trigger to fire each cartridge.

20 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.41 RCW
21 to read as follows:

22 (1) No person in this state may manufacture, possess, distribute,
23 import, transfer, sell, offer for sale, purchase, or otherwise
24 transfer any assault weapon or large capacity magazine except as
25 authorized in this section.

26 (2) Subsection (1) of this section does not apply to any of the
27 following:

28 (a) The possession of an assault weapon or large capacity
29 magazine by a person who legally possessed the assault weapon or
30 large capacity magazine on the effective date of this section, or
31 possession of an assault weapon or large capacity magazine by a
32 person who, on or after the effective date of this section, acquires
33 possession of the assault weapon or large capacity magazine by
34 operation of law upon the death of the former owner who was in legal
35 possession of the assault weapon or large capacity magazine, provided
36 the person in possession of the assault weapon or large capacity
37 magazine can establish such provenance. A person who legally
38 possesses an assault weapon or large capacity magazine under this
39 subsection may not sell or transfer the assault weapon to any other

1 person in this state other than to a licensed dealer, to a federally
2 licensed gun smith for the purpose of service or repair, or to a law
3 enforcement agency for the purpose of permanently relinquishing the
4 assault weapon or large capacity magazine;

5 (b) Any government officer, agent, or employee; member of the
6 armed forces of the United States or the state of Washington; or law
7 enforcement officer, to the extent that such person is otherwise
8 authorized to acquire or possess an assault weapon or large capacity
9 magazine and does so while acting within the scope of his or her
10 duties;

11 (c) The manufacture, offering for sale, sale, importation, or
12 transfer of an assault weapon or large capacity magazine by a
13 licensed firearms manufacturer for the purposes of sale to any branch
14 of the armed forces of the United States or the state of Washington,
15 or to a law enforcement agency in this state for use by that agency
16 or its employees;

17 (d) The possession, offering for sale, sale, importation, or
18 transfer of an assault weapon or large capacity magazine by a dealer
19 that is properly licensed under federal and state law for the purpose
20 of sale to any branch of the armed forces of the United States or the
21 state of Washington, or to a law enforcement agency in this state for
22 use by that agency or its employees for law enforcement purposes;

23 (e) The possession, offering for sale, sale, importation, or
24 transfer of an assault weapon or large capacity magazine by a dealer
25 that is properly licensed under federal and state law where the
26 dealer acquires the assault weapon or large capacity magazine from a
27 person legally authorized to possess or transfer the assault weapon
28 or large capacity magazine under (a) of this subsection for the
29 purpose of selling or transferring the assault weapon or large
30 capacity magazine to a person who does not reside in this state;

31 (f) The transfer to and possession of a legally possessed assault
32 weapon or large capacity magazine by a federally licensed gunsmith
33 for the purposes of service or repair, and the return of the assault
34 weapon or large capacity magazine to the lawful owner;

35 (g) The possession, offering for sale, sale, importation, or
36 transfer of an unloaded assault weapon for the purpose of permanently
37 relinquishing it to a law enforcement agency in this state;

38 (h) The importation or possession of an assault weapon or large
39 capacity magazine for the purpose of lawfully participating in a
40 sporting event officially sanctioned by a club or organization

1 established in whole or in part for the purpose of sponsoring sport
2 shooting events;

3 (i) The possession, importation, purchase, or transfer of an
4 assault weapon or large capacity magazine by marshals, sheriffs,
5 prison or jail wardens or their deputies, or other law enforcement
6 officers of this or another state while acting within the scope of
7 their duties, including such possession while not on duty, but
8 specifically authorized by command staff and necessary for the
9 performance of such duties;

10 (j) The possession of an assault weapon or large capacity
11 magazine by law enforcement officers retired for service or physical
12 disabilities, when the assault weapon or large capacity magazine in
13 question was acquired as part of the officer's separation from
14 service;

15 (k) Members of the armed forces of the United States or of the
16 national guard or organized services, when on duty;

17 (l) Officers or employees of the United States duly authorized to
18 possess assault weapons or large capacity magazines;

19 (m) Any persons lawfully engaged in shooting at a duly licensed,
20 lawfully operated shooting range; or

21 (n) The possession or transfer of an unloaded assault weapon or
22 large capacity magazine for the purpose of permanently relinquishing
23 it to a law enforcement agency in this state. An assault weapon or
24 large capacity magazine relinquished to a law enforcement agency
25 under this subsection must be destroyed.

26 (3) In order to continue to possess an assault weapon or large
27 capacity magazine that was legally possessed on the effective date of
28 this section, the person possessing the assault weapon or large
29 capacity magazine shall possess the assault weapon or large capacity
30 magazine only on property owned or immediately controlled by the
31 person, or while engaged in the legal use of the assault weapon or
32 large capacity magazine at a duly licensed firing range, or while
33 engaged in a lawful outdoor recreational activity such as hunting, or
34 while traveling to or from either of these locations for the purpose
35 of engaging in the legal use of the assault weapon or large capacity
36 magazine, provided that the assault weapon or large capacity magazine
37 is stored unloaded and in a separate locked container during
38 transport.

39 (4) A person who violates this section is guilty of a class C
40 felony punishable under chapter 9A.20 RCW.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 9.41 RCW
2 to read as follows:

3 (1) Except as provided in subsection (2) of this section, a
4 person shall not:

5 (a) Transport an assault weapon into Washington state; or

6 (b) Possess, sell, offer to sell, transfer, purchase, or receive
7 an assault weapon.

8 (2) (a) A person who lawfully possessed, has a purchase order for,
9 or completed an application to purchase an assault weapon before
10 January 1, 2021, and who has registered the assault weapon with the
11 Washington state patrol may:

12 (i) Continue to possess and transport the assault weapon; or

13 (ii) While carrying a court order requiring the surrender of the
14 assault weapon, transport the assault weapon directly to a law
15 enforcement unit, barracks, or station if the person has notified the
16 law enforcement unit, barracks, or station that the person is
17 transporting the assault weapon in accordance with a court order and
18 the assault weapon is unloaded.

19 (b) A licensed firearms dealer may continue to possess, sell,
20 offer for sale, or transfer an assault weapon or a copycat weapon
21 that the licensed firearms dealer lawfully possessed on or before
22 January 1, 2021.

23 (c) A person may transport an assault weapon to or from:

24 (i) An ISO 17025 accredited, national institute of justice-
25 approved ballistics testing laboratory; or

26 (ii) A facility or entity that manufactures or provides research
27 and development testing, analysis, or engineering for personal
28 protective equipment or vehicle protection systems.

29 NEW SECTION. **Sec. 4.** If any provision of this act or its
30 application to any person or circumstance is held invalid, the
31 remainder of the act or the application of the provision to other
32 persons or circumstances is not affected.

--- END ---