
SENATE BILL 6114

State of Washington

53rd Legislature

1994 Regular Session

By Senators Nelson, A. Smith, Oke, Amondson, Haugen, Quigley, M. Rasmussen, Winsley, Skratek, Deccio, McDonald, Anderson, McCaslin, Ludwig and Moyer

Read first time 01/12/94. Referred to Committee on Law & Justice.

1 AN ACT Relating to limiting availability of weapons to minors;
2 amending RCW 9.41.080 and 9.41.240; reenacting and amending RCW
3 9.41.010; and prescribing penalties.

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

5 **Sec. 1.** RCW 9.41.010 and 1992 c 205 s 117 and 1992 c 145 s 5 are
6 each reenacted and amended to read as follows:

7 Unless the context clearly requires otherwise, the definitions in
8 this section apply throughout this chapter.

9 (1) "Short firearm" or "pistol" (~~(as used in this chapter)~~) means
10 any firearm with a barrel less than twelve inches in length.

11 (2) "Crime of violence" (~~(as used in this chapter)~~) means:

12 (a) Any of the following felonies, as now existing or hereafter
13 amended: Any felony defined under any law as a class A felony or an
14 attempt to commit a class A felony, criminal solicitation of or
15 criminal conspiracy to commit a class A felony, manslaughter in the
16 first degree, manslaughter in the second degree, indecent liberties if
17 committed by forcible compulsion, rape in the second degree, kidnapping
18 in the second degree, arson in the second degree, assault in the second
19 degree, assault of a child in the second degree, extortion in the first

1 degree, burglary in the second degree, and robbery in the second
2 degree;

3 (b) Any conviction or adjudication for a felony offense in effect
4 at any time prior to July 1, 1976, which is comparable to a felony
5 classified as a crime of violence in subsection (2)(a) of this section;
6 and

7 (c) Any federal or out-of-state conviction or adjudication for an
8 offense comparable to a felony classified as a crime of violence under
9 subsection (2) (a) or (b) of this section.

10 (3) "Firearm" (~~as used in this chapter~~) means a weapon or device
11 from which a projectile may be fired by an explosive such as gunpowder.

12 (4) "Commercial seller" (~~as used in this chapter~~) means a person
13 who has a federal firearms license.

14 (5) "Rifle" means a weapon designed or redesigned, made or remade,
15 and intended to be fired from the shoulder and designed or redesigned
16 and made or remade to use the energy of the explosive in a fixed
17 metallic cartridge to fire only a single projectile through a rifled
18 bore for each single pull of the trigger.

19 (6) "Shotgun" means a weapon designed or redesigned, made or
20 remade, and intended to be fired from the shoulder and designed or
21 redesigned and made or remade to use the energy of the explosive in a
22 fixed shotgun shell to fire through a smooth bore either a number of
23 ball shot or a single projectile for each single pull of the trigger.

24 (7) "Short-barreled rifle" means a rifle having one or more barrels
25 less than sixteen inches in length and a weapon made from a rifle,
26 whether by alteration, modification, or otherwise, if the weapon, as
27 modified, has an overall length of less than twenty-six inches.

28 (8) "Short-barreled shotgun" means a shotgun having one or more
29 barrels less than eighteen inches in length and a weapon made from a
30 shotgun, whether by alteration, modification, or otherwise, if the
31 weapon as modified has an overall length of less than twenty-six
32 inches.

33 **Sec. 2.** RCW 9.41.080 and 1935 c 172 s 8 are each amended to read
34 as follows:

35 No person (~~shall~~) may deliver a pistol, short-barreled rifle, or
36 short-barreled shotgun to any person under the age of twenty-one or to
37 one who he or she has reasonable cause to believe has been convicted of
38 a crime of violence, or is a drug addict, an habitual drunkard, or of

1 unsound mind. A person violating this section is guilty of a class C
2 felony.

3 **Sec. 3.** RCW 9.41.240 and 1971 c 34 s 1 are each amended to read as
4 follows:

5 No minor under the age of fourteen years (~~shall~~) may handle or
6 have in his or her possession or under his or her control, except while
7 accompanied by or under the immediate charge of his or her parent or
8 guardian or other adult approved for the purpose of this section by the
9 parent or guardian, or while under the supervision of a certified
10 safety instructor at an established gun range or firearm training
11 class, any firearm of any kind for hunting or target practice or for
12 other purposes. No minor may handle or have in his or her possession
13 or under his or her control, except while accompanied by or under the
14 immediate charge of his or her parent or guardian or other adult
15 approved for the purpose of this section by the parent or guardian, or
16 while under the supervision of a certified safety instructor at an
17 established gun range or firearm training class, any pistol of any kind
18 for hunting or target practice or for other purposes. Every person
19 violating (~~any of the foregoing provisions~~) this section, or aiding
20 or knowingly permitting any such minor to violate (~~the same, shall~~
21 ~~be~~) this section, is guilty of a (~~misdemeanor~~) class C felony.

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