
SENATE BILL 5971

State of Washington 54th Legislature 1995 Regular Session

By Senators C. Anderson, Kohl and Prentice

Read first time 02/20/95. Referred to Committee on Law & Justice.

1 AN ACT Relating to assault weapons; amending RCW 9.41.220; adding
2 a new section 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 (1) It is unlawful for a person to manufacture, buy, sell, loan,
7 furnish, or transfer any assault weapon in the state of Washington.

8 (2) A person who knowingly violates this section shall be guilty of
9 a class C felony.

10 (3) This section shall not apply to:

11 (a) The United States or a department or agency of the United
12 States or a state or a department, agency, or political subdivision of
13 a state;

14 (b) Any peace officer in the discharge of official duty or
15 traveling to or from official duty, or to any member of the armed
16 forces of the United States or a state in the discharge of official
17 duty or traveling to or from official duty;

18 (c) The transfer of an assault weapon by a licensed manufacturer,
19 licensed importer, or licensed dealer to an entity referred to in (a)

1 of this subsection or to a law enforcement officer authorized by such
2 an entity to purchase firearms for official use;

3 (d) The manufacture, transfer, or possession of an assault weapon
4 by a licensed manufacturer or licensed importer for the purposes of
5 testing or experimentation authorized by the secretary of the treasury;

6 (e) A person in the act of transferring an assault weapon to a law
7 enforcement agency in Washington for the purpose of disposing of the
8 weapon in order to comply with this section, provided the person has
9 arranged the transfer in advance with the agency;

10 (f) Any firearm that:

11 (i) Is manually operated by bolt, pump, lever, or slide action;

12 (ii) Has been rendered permanently inoperable; or

13 (iii) Is an antique firearm.

14 (4) The following definitions apply to this section:

15 (a) "Semiautomatic firearm" means a firearm that fires a single
16 round with each pull of the trigger and self-reloads by using a portion
17 of the energy of a fired round to expel its case and to rechamber the
18 next round.

19 (b) "Ammunition feeding device" means a magazine, clip, disk, or
20 drum that is designed or capable of being attached to and utilized by
21 any pistol, short firearm, rifle, carbine, long pistol, or automatic or
22 semiautomatic firearm.

23 (c) "Assault weapon" means:

24 (i) Any semiautomatic firearm with a capacity of more than ten
25 rounds of ammunition individually or in combination with any ammunition
26 feeding device;

27 (ii) Any shotgun with a capacity of more than four rounds; or

28 (iii) Any sawed-off shotgun.

29 **Sec. 2.** RCW 9.41.220 and 1994 sp.s. c 7 s 421 are each amended to
30 read as follows:

31 (1) The following are hereby declared to be contraband:

32 (a) All machine guns, short-barreled shotguns, or short-barreled
33 rifles, or any part designed and intended solely and exclusively for
34 use in a machine gun, short-barreled shotgun, or short-barreled rifle,
35 or in converting a weapon into a machine gun, short-barreled shotgun,
36 or short-barreled rifle, illegally held or illegally possessed ((are
37 hereby declared to be contraband, and it shall be)).

1 (b) All assault weapons as defined in section 1 of this act, or any
2 part designed and intended solely and exclusively for use in an assault
3 weapon or in converting a weapon into an assault weapon, illegally
4 manufactured, bought, sold, loaned, furnished, or transferred.

5 (2) It is the duty of all peace officers, and/or any officer or
6 member of the armed forces of the United States or the state of
7 Washington, to seize ((said)) the assault weapon, machine gun, short-
8 barreled shotgun, or short-barreled rifle, or parts thereof, wherever
9 and whenever found.

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