
Commerce & Labor Committee

HB 2499

Brief Description: Changing regulations concerning black powder.

Sponsors: Representatives Bailey, Chandler, Roach, Schmick and Kretz.

Brief Summary of Bill

- Raises the Explosives Act black powder exemption for certain black powder from five pounds to 50 pounds and makes other changes.

Hearing Date: 1/29/10

Staff: Joan Elgee (786-7106).

Background:

Under the state's Explosives Act (Act), the Department of Labor and Industries (Department) regulates the manufacture, storage, sale, purchase, transportation, possession, and use of explosives. No person may conduct any of these activities without being in compliance with the chapter. The Department has authority to adopt rules concerning and issue the various types of explosives licenses.

Black powder is a propellant and can be made with potassium nitrate (KNO₃) or sodium nitrate. Black powder designations "Fa" and "Fg" refer to different types of processing and granule size. Black powder not exceeding five pounds is excluded from the definition of "explosives" unless it is possessed or used for a purpose inconsistent with small arms use or other lawful purpose.

Black powder used in muzzle loading firearms may be transported in a private vehicle or stored without restriction in private residences in quantities not to exceed five pounds. Not more than 25 pounds of black powder may be stored in commercial establishments of which not more than four pounds may be displayed. Quantities of black powder in excess of 25 pounds must be stored in magazines.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Federal law generally exempts from regulation black powder in quantities not to exceed 50 pounds intended to be used solely for sporting, recreational, or cultural purposes in antique firearms.

Summary of Bill:

Black powder designated "Fg" or "Fa" containing KNO₃ not exceeding 50 pounds is exempt under the Act, unless it is possessed or used for a purpose inconsistent with small arms use or other lawful purpose. For other black powders, the exempt threshold continues to be five pounds.

Quantities of Fa and Fg black powder containing KNO₃ used in muzzle loading firearms are changed as follows:

	Current law	HB 2499
May be transported in private vehicle	5 pounds or less	50 pounds or less
May be stored in private residence	5 pounds or less	50 pounds or less
May be displayed in commercial establishment	4 pounds or less	75 pounds or less
Must be stored in magazines	25 pounds or more	150 pounds or more

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.