
SUBSTITUTE HOUSE BILL 2240

State of Washington

66th Legislature

2020 Regular Session

By House Civil Rights & Judiciary (originally sponsored by Representatives Valdez, Peterson, Senn, Doglio, Macri, Robinson, Walen, Thai, Kilduff, Stonier, Frame, Bergquist, Cody, Pellicciotti, Chapman, Fitzgibbon, Orwall, Ortiz-Self, Ramel, Ryu, Tarleton, Appleton, Slatter, Davis, Tharinger, Ormsby, Wylie, Kloba, Gregerson, and Pollet; by request of Attorney General and Governor Inslee)

READ FIRST TIME 02/05/20.

1 AN ACT Relating to high capacity magazines; adding a new section
2 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) No person in this state may manufacture, possess, distribute,
7 import, transfer, sell, offer for sale, purchase, or otherwise
8 transfer any large capacity magazine, except as authorized in this
9 section.

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

12 (a) The possession of a large capacity magazine by a person who
13 legally possessed the large capacity magazine on the effective date
14 of this section, or possession of a large capacity magazine by a
15 person who, on or after the effective date of this section, acquires
16 possession of the large capacity magazine by operation of law upon
17 the death of the former owner who was in legal possession of the
18 large capacity magazine, provided the person in possession of the
19 large capacity magazine can establish such provenance. A person who
20 legally possesses a large capacity magazine under this subsection may
21 not sell or transfer the magazine to any other person in this state

1 other than to a licensed dealer, to a federally licensed gunsmith for
2 the purpose of service or repair, or to a law enforcement agency for
3 the purpose of permanently relinquishing the large capacity magazine;

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

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

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

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

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

33 (g) The possession, offering for sale, sale, importation, or
34 transfer of a large capacity magazine for the purpose of permanently
35 relinquishing it to a law enforcement agency in this state;

36 (h) The importation or possession of a large capacity magazine
37 for the purpose of lawfully participating in a sporting event
38 officially sanctioned by a club or organization established in whole
39 or in part for the purpose of sponsoring sport shooting events;

1 (i) The possession, importation, purchase, or transfer of a large
2 capacity magazine by marshals, sheriffs, prison or jail wardens or
3 their deputies, or other law enforcement officers of this or another
4 state while acting within the scope of their duties, including such
5 possession while not on duty;

6 (j) The possession of a large capacity magazine by law
7 enforcement officers retired for service or physical disabilities,
8 when the large capacity magazine in question was acquired as part of
9 the officer's separation from service;

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

12 (l) Officers or employees of the United States duly authorized to
13 possess large capacity magazines;

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

16 (n) The possession or transfer of a large capacity magazine for
17 the purpose of permanently relinquishing it to a law enforcement
18 agency in this state. A large capacity magazine relinquished to a law
19 enforcement agency under this subsection must be destroyed.

20 (3) In order to continue to possess a large capacity magazine
21 that was legally possessed on the effective date of this section, the
22 person possessing the large capacity magazine shall:

23 (a) Store the large capacity magazine in a secure gun storage;
24 and

25 (b) Possess the large capacity magazine only on property owned or
26 immediately controlled by the person, or while engaged in the legal
27 use of the large capacity magazine at a duly licensed firing range,
28 or while engaged in a lawful outdoor recreational activity such as
29 hunting, or while traveling to or from either of these locations for
30 the purpose of engaging in the legal use of the large capacity
31 magazine, provided that the large capacity magazine is stored
32 unloaded and in a separate locked container during transport.

33 (4) A person who violates this section is guilty of a gross
34 misdemeanor punishable under chapter 9A.20 RCW.

35 (5) For the purposes of this section, "large capacity magazine"
36 means an ammunition feeding device with the capacity to accept more
37 than fifteen rounds of ammunition, or any conversion kit, part, or
38 combination of parts, from which such a device can be assembled if
39 those parts are in the possession or under the control of the same
40 person, but shall not be construed to include any of the following:

1 (a) An ammunition feeding device that has been permanently
2 altered so that it cannot accommodate more than fifteen rounds of
3 ammunition;

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

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

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