

RCW 9.41.190 Unlawful firearms—Exceptions. (1) Except as otherwise provided in this section, it is unlawful for any person to:

- (a) Manufacture, own, buy, sell, loan, furnish, transport, or have in possession or under control, any machine gun, bump-fire stock, undetectable firearm, short-barreled shotgun, or short-barreled rifle;
- (b) Manufacture, own, buy, sell, loan, furnish, transport, or have in possession or under control, any part designed and intended solely and exclusively for use in a machine gun, bump-fire stock, undetectable firearm, short-barreled shotgun, or short-barreled rifle, or in converting a weapon into a machine gun, short-barreled shotgun, or short-barreled rifle;
- (c) Assemble or repair any machine gun, bump-fire stock, undetectable firearm, short-barreled shotgun, or short-barreled rifle; or
- (d) Manufacture, cause to be manufactured, assemble, or cause to be assembled, an untraceable firearm with the intent to sell the untraceable firearm.

(2) It is not unlawful for a person to manufacture, own, buy, sell, loan, furnish, transport, assemble, or repair, or have in possession or under control, a short-barreled rifle, or any part designed or intended solely and exclusively for use in a short-barreled rifle or in converting a weapon into a short-barreled rifle, if the person is in compliance with applicable federal law.

(3) Subsection (1) of this section shall not apply to:

- (a) Any peace officer in the discharge of official duty or traveling to or from official duty, or to any officer or member of the armed forces of the United States or the state of Washington in the discharge of official duty or traveling to or from official duty; or
- (b) A person, including an employee of such person if the employee has undergone fingerprinting and a background check, who or which is exempt from or licensed under federal law, and engaged in the production, manufacture, repair, or testing of machine guns, bump-fire stocks, short-barreled shotguns, or short-barreled rifles:
 - (i) To be used or purchased by the armed forces of the United States;
 - (ii) To be used or purchased by federal, state, county, or municipal law enforcement agencies; or
 - (iii) For exportation in compliance with all applicable federal laws and regulations.

(4) It shall be an affirmative defense to a prosecution brought under this section that the machine gun or short-barreled shotgun was acquired prior to July 1, 1994, and is possessed in compliance with federal law.

(5) Any person violating this section is guilty of a class C felony. [2022 c 105 s 3; 2019 c 243 s 3; 2018 c 7 s 3; (2018 c 7 s 2 expired July 1, 2019); 2016 c 214 s 1; 2014 c 201 s 1; 1994 sp.s. c 7 s 420; 1982 1st ex.s. c 47 s 2; 1933 c 64 s 1; RRS s 2518-1.]

Effective date—2022 c 105: See note following RCW 7.80.120.

Effective date—2019 c 243: See note following RCW 9.41.010.

Effective dates—2018 c 7: See note following RCW 9.41.010.

Expiration date—2018 c 7 s 2: "Section 2 of this act expires July 1, 2019." [2018 c 7 s 12.]

Finding—Intent—Severability—1994 sp.s. c 7: See notes following RCW 43.70.540.

Effective date—1994 sp.s. c 7 ss 401-410, 413-416, 418-437, and 439-460: See note following RCW 9.41.010.

Severability—1982 1st ex.s. c 47: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1982 1st ex.s. c 47 s 31.]