

# SENATE BILL REPORT

## SB 5956

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As of January 28, 2014

**Title:** An act relating to short-barreled rifles.

**Brief Description:** Concerning short-barreled rifles.

**Sponsors:** Senators Hatfield, Sheldon and Braun.

**Brief History:**

**Committee Activity:** Law & Justice: 1/31/14.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Tim Ford (786-7423)

**Background:** With certain exceptions, it is a class C felony in Washington for a person to manufacture, own, buy, sell, loan, furnish, transport, or have in the person's possession a machine gun, short-barreled shotgun, or short-barreled rifle. It is an affirmative defense to prosecution that the person acquired the firearm prior to July 1, 1994, and possesses the firearm in compliance with federal law. Under both state and federal law, a short-barreled rifle is a rifle having a barrel or barrels less than 16 inches in length, or a weapon made from a rifle if the modified weapon has an overall length of less than 26 inches.

The National Firearms Act (NFA) regulates the manufacture, importation, and transfer of certain firearms, including short-barreled rifles. Items regulated under the NFA are referred to as NFA firearms. NFA firearms must be registered in a database maintained by the National Firearms Act Branch of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). A person wishing to acquire an NFA firearm must obtain a certification from the local chief law enforcement officer, undergo a background check, obtain prior approval for the transfer, and pay a \$200 tax on the transaction. ATF will not approve a transfer if the transfer would place the transferee in violation of any federal, state, or local law. ATF also will not approve a transfer of an NFA firearm unless it is registered to the transferor. Unregistered NFA firearms generally may not be lawfully received, possessed, or transferred.

Under the NFA, people may make their own NFA firearm by applying to ATF and meeting certain requirements. These requirements include obtaining prior approval and registration of the item, obtaining a certification from the chief of the local law enforcement agency, undergoing a background check, and paying a \$200 tax on the item.

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*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.*

A person who possesses a firearm registered in the National Firearms Registration and Transfer Record must retain proof of registration which must be made available to ATF upon request.

**Summary of Bill:** It is not unlawful for a person to possess, transport, acquire, or transfer a short-barreled rifle that is legally registered and possessed, transported, acquired, and transferred in compliance with federal law.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.