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**HOUSE BILL 1594**

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**State of Washington****64th Legislature****2015 Regular Session****By Representative Wylie**

Read first time 01/23/15. Referred to Committee on Judiciary.

1       AN ACT Relating to the toy gun manufacturing requirement act;  
2 adding a new chapter to Title 70 RCW; and providing an effective  
3 date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5       NEW SECTION. **Sec. 1.** (1) The legislature finds that:

6           (a) Between 1985 and 1989, there were four hundred ninety  
7 reported cases within the United States where a police officer either  
8 issued a warning of intent to use deadly force or used deadly force  
9 based on the belief that a toy gun was a real weapon.

10          (b) The state of California has enacted Senate Bill No. 199 on  
11 September 30, 2014, requiring that any BB device, toy gun, replica of  
12 a firearm, or other device that is so substantially similar in  
13 overall appearance to an existing firearm, must have its exterior  
14 colored in bright colors, either singly or as the predominant color  
15 in combination with other colors in any pattern or where the entire  
16 device is constructed of transparent materials that permits  
17 unmistakable observation of the device's complete contents to  
18 indicate that it is not a firearm.

19          (c) In 2010, the total medical costs in Washington state for  
20 firearm-related hospitalizations and deaths was seven million  
21 dollars. This means that the average medical cost for each of the

1 approximately six hundred seventy-five people who had firearm-related  
2 injuries and deaths in the same year was over ten thousand three  
3 hundred seventy dollars.

4 (d) The approximate cost for a gallon of paint in the United  
5 States, which would be used on toy guns, is fifty dollars. However,  
6 the price of the paint required for the plugs used on current toy  
7 muzzles is one hundred ninety-five dollars a gallon.

8 (e) In 1989, a federally funded experiment was conducted to test  
9 the effectiveness of the orange plugs on toy guns in revealing that  
10 the toy gun is not a firearm. The test involved confronting police  
11 officers from the Montgomery county and Prince William county,  
12 Maryland, and the Fairfax county, Virginia, police departments with  
13 actors holding toy guns with the orange plug. Ninety-six percent of  
14 the police officers failed to see the orange tip and fired.

15 (2) The purposes of this chapter are:

16 (a) To reduce the number of injuries and deaths that result from  
17 the mistaken appearance of a toy gun for a firearm; and

18 (b) To reduce the number of people requiring hospitalization,  
19 resulting in fewer medical bills being paid for firearm-related  
20 injuries and deaths. This will help the state save more of its  
21 taxpayer dollars that would normally be used to pay for insurance-  
22 covered medical bills.

23       **NEW SECTION.**   **Sec. 2.**   The definitions in this section apply  
24 throughout this chapter unless the context clearly requires  
25 otherwise.

26 (1) "Destructive device" means an explosive, incendiary, or  
27 poison gas.

28 (2) "Exterior of the device" means the outer frame of any object  
29 classified as a toy, look-alike, or imitation of a firearm that is  
30 visible.

31 (3) "Firearm" includes but is not limited to any shotgun,  
32 handgun, rifle, destructive device, or any other device that could  
33 discharge a shot through the energy of an explosion.

34 (4) "Look-alike" means a device that closely resembles a firearm.

35 (5) "Markings" means standing out from the toy gun.

36 (6) "Medical cost" means the amount of money to be paid for any  
37 services provided to an individual that resulted from any firearm-  
38 related injuries or death.

1       (7) "Mixture" means two or more of the listed colors are visible,  
2 but not added together, to make different shades of the color.

3       (8) "Transparent" means clear or see-through, so the contents  
4 that make up the interior of the device are visible.

5       NEW SECTION.   **Sec. 3.** (1) Individuals within the state are only  
6 allowed to own or possess a toy, look-alike, or imitation firearm  
7 having the appearance, shape, or configuration of a firearm if the  
8 entire exterior of the toy, look-alike, or imitation firearm is a  
9 white, bright red, bright orange, bright yellow, bright green, bright  
10 blue, bright pink, or bright purple color or a mixture of these  
11 colors.

12      (2) Subsection (1) of this section does not apply to a toy, look-  
13 alike, or imitation firearm that will be used only in the theatrical,  
14 movie, or television industries that has been approved by the chief  
15 counsel for technology in Washington, D.C.

16       NEW SECTION.   **Sec. 4.** This act may be known and cited as the toy  
17 gun manufacturing requirement act.

18       NEW SECTION.   **Sec. 5.** This act takes effect July 1, 2016.

19       NEW SECTION.   **Sec. 6.** Sections 1 through 4 of this act  
20 constitute a new chapter in Title 70 RCW.

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