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## Public Safety Committee

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### HB 1719

**Brief Description:** Concerning use and acquisition of military equipment by law enforcement agencies.

**Sponsors:** Representatives Bronoske, Johnson, J., Bateman and Wicks.

#### Brief Summary of Bill

- Removes the prohibition on the use and acquisition of ammunition of .50 caliber or greater by law enforcement agencies.
- Narrows the prohibition on the use and acquisition firearms of .50 caliber by law enforcement agencies to apply only to rifles of .50 caliber or greater.

**Hearing Date:** 1/11/22

**Staff:** Kelly Leonard (786-7147).

#### **Background:**

Prohibition on the use and acquisition of military equipment.

In 2021, the state enacted legislation prohibiting the acquisition and use of military equipment by law enforcement agencies. Military equipment includes firearms and ammunition of .50 caliber or greater, machine guns, armed helicopters, armed or armored drones, armed vessels, armed vehicles, armed aircraft, tanks, long range acoustic hailing devices, rockets, rocket launchers, bayonets, explosive grenades, incendiary grenades, missiles, directed energy systems, and electromagnetic spectrum weapons. Through the Washington Association of Sheriffs and Police Chiefs, an inventory of military equipment possessed by law enforcement agencies was submitted to the Legislature and Governor on December 31, 2021. Agencies are required to

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return the equipment to the federal agency from which it was acquired, if applicable, or destroy the equipment by December 31, 2022.

### Definitions.

The prohibition on the acquisition and use of military equipment does not define "firearms" or "ammunition." However, the laws governing firearms offenses include several definitions relating to firearms.

"Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. It specifically does not include a flare gun or other pyrotechnic visual distress signaling device, or a powder-actuated tool or other device designed solely to be used for construction purposes.

"Rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

"Shotgun" means a weapon with one or more barrels, designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

### **Summary of Bill:**

The prohibition on the use and acquisition of military equipment is modified. The prohibition on ammunition of .50 caliber or greater is removed, effectively allowing law enforcement agencies to use and acquire ammunition of .50 caliber or greater. The prohibition on using and acquiring firearms of .50 caliber or greater is narrowed to apply only to rifles of .50 caliber or greater, effectively allowing law enforcement agencies to use and acquire other types of firearms of .50 caliber or greater.

"Rifle" has the same meaning as provided in the statutes governing firearms offenses, except it does not include: any shotgun; any device designed or used to deploy less lethal munitions, including, but not limited to, rubber, bean bag, soft nose, sponge, or other nonpenetrating impact rounds; or any less lethal equipment.

**Appropriation:** None.

**Fiscal Note:** Requested on January 4, 2022.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.