

**SSB 5078 - S AMD 148**

By Senator Fortunato

**NOT ADOPTED 03/02/2023**

1 Beginning on page 1, line 13, strike all of section 1 and insert  
2 the following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that the firearms  
4 industry supports environmental and conservation issues important to  
5 all Washingtonians. In 2021, the firearms industry produced an  
6 economic output of over \$1.3 million for the state of Washington and  
7 employed over 8,000 people. The legislature finds the likely outcome  
8 of this act is to eliminate that output and cause those jobs to leave  
9 this state for another state. By characterizing the firearms product  
10 industry as a public nuisance and exposing the industry to suit by  
11 the attorney general for any wrongdoing that could possibly result  
12 from potential misuse of a firearm and any accessories, the economic  
13 value of the industry becomes compromised. This creates a situation  
14 where 8,000 people will potentially experience unemployment. The  
15 legislature finds that firearms industry members will be prevented  
16 from producing a lawful product that can be used in an irresponsible,  
17 dangerous, and unlawful way. By declaring the production of a lawful  
18 product to be a public nuisance, the industry is forced to take on  
19 the liability of criminals and individuals who operate with a  
20 complete disrespect for the rule of law. In spite of protections that  
21 the legislature has instituted, unlawful trafficking of firearms  
22 persists and criminals continue to illegally and unlawfully use these  
23 products in a harmful way. Much like holding the makers of certain  
24 chemicals liable for a drug epidemic, holding a manufacturer and  
25 lawful distributor liable for a third party's misuse and unlawful use  
26 of a product is a dangerous extension of an important tool. Because  
27 of vagueness in the elements of the law, and a lack of specific,  
28 concrete direction for firearms industry members regarding the  
29 meaning of reasonable procedures and controls, this act exposes the  
30 entire industry to open ended, irreparable, and costly harm through  
31 an unprecedented and unsupportable extension of public nuisance law.  
32 The legislature finds that the purpose of this act is to prevent the

1 sale of lawful firearms to citizens of Washington state under the  
2 guise of promoting public safety."

EFFECT: Amends the intent section to include information on the economic output and employment of the firearms industry in Washington.

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