

SENATE BILL REPORT

SB 5782

As Passed Senate, March 5, 2019

Title: An act relating to spring blade knives.

Brief Description: Concerning spring blade knives.

Sponsors: Senators Zeiger, Fortunato, Takko, Padden, Palumbo and Wilson, L..

Brief History:

Committee Activity: Law & Justice: 2/18/19, 2/21/19 [DP].

Floor Activity:

Passed Senate: 3/05/19, 46-1.

Brief Summary of Bill

- Legalizes the possession, manufacture, and sale of spring blade knives.
- Repeals the exemption for law enforcement, firefighters, rescue, and military personnel.
- Makes unlawful the possession of a spring blade knife on the premises of schools, jails, courts, public mental health facilities, licensed liquor establishments, and airports.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy, Kuderer, Salomon and Wilson, L..

Staff: Tim Ford (786-7423)

Background: Currently, every person who manufactures, sells, disposes of, or possesses any spring blade knife is guilty of a gross misdemeanor punishable by up to one year incarceration or a \$5,000 fine or both. A spring blade knife is defined as any knife in which the blade is automatically released by a spring mechanism or other mechanical device, or any knife having a blade which opens, falls, or is ejected into position by the force of gravity or by an outward, downward, or centrifugal thrust or movement.

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.

Exemptions apply for the possession of a spring blade knife by a law enforcement officer while the officer is on official duty, is transporting the knife to or from the place where the knife is stored when the officer is not on official duty, or is storing a spring blade knife. In 2012 the exemption was expanded to include firefighters and other rescue members, Washington State Patrol (WSP) officers, and military members, and to facilitate actual use of spring blade knives.

Spring blade knives may also be manufactured, sold, transported, transferred, distributed, or possessed pursuant to contracts with these actors' agencies. Manufacturer contracts with other manufacturers and commercial distributors are exempt from the prohibition against spring blade knives. Trials, testing, and other uses related to evaluation and assessment of spring blade knives by permitted users, companies, and agencies are also exempt.

The general term spring blade knife is to be used to describe the various kinds of knives prohibited in the dangerous weapons statute. Knives with a mechanism designed to create a bias toward closure of the blade that must be overcome by physical exertion are not spring blade knives.

Summary of Bill: It is legal for any person to manufacture, sell, or possess a spring blade knife. Spring blade knives are not listed as a dangerous weapon, but the definition of a spring blade knife is retained. It is unlawful to carry or possess a spring blade knife on any school premises, and also places such as jails, courts, public mental health facilities, licensed liquor establishments, and airports.

The exemptions for law enforcement, firefighting, rescue, and military personnel are repealed.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: Several years ago a knife manufacturer in my district approached the Legislature to legalize the manufacture of spring blade knives. While the manufacture is now legal, state law still prohibits the possession. State bans date back to the 1950s and 60s when Hollywood movies like James Dean's *Rebel Without a Cause* propagated the notion that spring blades were the knife of choice for gang members. Recently, a number of states have repealed laws prohibiting spring blade knives. Only ten states still ban spring blade knives.

Spring blade knives are helpful for people with disabilities or degenerative diseases. Manufacturing businesses would be helped by selling the knives they already manufacture, which translates into more jobs and tax revenues. This bill has a bipartisan support.

The only difference between a spring blade knife and a folding pocket knife is the spring. We have manufactured several different ways to make the knife deploy a lot easier. First responders use spring blade knives in emergency situations to cut seat belts.

Our company employs approximately 40 people in our Washington State facility manufacturing knives. This bill will create a new source of revenue that will create jobs. Opening up this market in Washington will put us on an equal playing field with Oregon and Idaho.

In New York a disproportionate number of people, over 80 percent, who are prosecuted under laws like this are African American or Hispanic. Your constituents are under threat of arrest for carrying a knife. Inflammatory articles and Hollywood movies led to the creation of these bans decades ago. Freddy Gray was stopped in Baltimore for carrying a pocket knife. This is a criminal reform justice issue.

Persons Testifying: PRO: Senator Hans Zeiger, Prime Sponsor; Jeffery Swanson, Manager, Blade Gallery Inc.; Mike Vellekamp, V Knives; Spencer Frazer, SOG Knives and Tools; Todd Rathner, Knife Rights, Inc.

Persons Signed In To Testify But Not Testifying: No one.