5078-S.E AMH YOUN BUR 105

**ESSB 5078** - H AMD **1225**

By Representative Young

**NOT ADOPTED 03/04/2022**

On page 9, after line 7, insert "(4)(a) A person who is charged with a violation of this section may petition the court for a deferred prosecution, provided the defendant: (i) has no prior convictions for the same offense, and (ii) stipulates that he or she will not again violate the terms of RCW 9.41 pertaining to large capacity magazines for a minimum of two years.

(b) A person who is granted a deferred prosecution under this section and does not violate the terms of the deferred prosecution shall not be guilty of a gross misdemeanor punishable under chapter 9A.20 RCW."

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|  | EFFECT:   Provides a defendant charged with a criminal violation of the underlying bill's restrictions on large capacity magazines may ask the court to impose a deferred prosecution if the defendant has no previous convictions for the same offense and agrees to not violate the large capacity magazine restrictions again for a minimum of two years. Provides a defendant who is granted and complies with the terms of a deferred prosecution shall not be guilty of a gross misdemeanor. |

**--- END ---**