

---

**SENATE BILL 5735**

---

**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Salomon and Valdez

1 AN ACT Relating to establishing state standards for the labeling  
2 of imitation firearms sold inside Washington state; reenacting and  
3 amending RCW 9.41.010; adding a new section to chapter 9.41 RCW; and  
4 prescribing penalties.

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

6 **Sec. 1.** RCW 9.41.010 and 2024 c 289 s 1 and 2024 c 62 s 32 are  
7 each reenacted and amended to read as follows:

8 Unless the context clearly requires otherwise, the definitions in  
9 this section apply throughout this chapter.

10 (1) "Antique firearm" means a firearm or replica of a firearm not  
11 designed or redesigned for using rim fire or conventional center fire  
12 ignition with fixed ammunition and manufactured in or before 1898,  
13 including any matchlock, flintlock, percussion cap, or similar type  
14 of ignition system and also any firearm using fixed ammunition  
15 manufactured in or before 1898, for which ammunition is no longer  
16 manufactured in the United States and is not readily available in the  
17 ordinary channels of commercial trade.

18 (2)(a) "Assault weapon" means:

19 (i) Any of the following specific firearms regardless of which  
20 company produced and manufactured the firearm:

1	AK-47 in all forms
2	AK-74 in all forms
3	Algimec AGM-1 type semiautomatic
4	American Arms Spectre da semiautomatic carbine
5	AR15, M16, or M4 in all forms
6	AR 180 type semiautomatic
7	Argentine L.S.R. semiautomatic
8	Australian Automatic
9	Auto-Ordnance Thompson M1 and 1927 semiautomatics
10	Barrett .50 cal light semiautomatic
11	Barrett .50 cal M87
12	Barrett .50 cal M107A1
13	Barrett REC7
14	Beretta AR70/S70 type semiautomatic
15	Bushmaster Carbon 15
16	Bushmaster ACR
17	Bushmaster XM-15
18	Bushmaster MOE
19	Calico models M100 and M900
20	CETME Sporter
21	CIS SR 88 type semiautomatic
22	Colt CAR 15
23	Daewoo K-1
24	Daewoo K-2
25	Dragunov semiautomatic
26	Fabrique Nationale FAL in all forms
27	Fabrique Nationale F2000
28	Fabrique Nationale L1A1 Sporter
29	Fabrique Nationale M249S
30	Fabrique Nationale PS90
31	Fabrique Nationale SCAR
32	FAMAS .223 semiautomatic

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

Galil
Heckler & Koch G3 in all forms
Heckler & Koch HK-41/91
Heckler & Koch HK-43/93
Heckler & Koch HK94A2/3
Heckler & Koch MP-5 in all forms
Heckler & Koch PSG-1
Heckler & Koch SL8
Heckler & Koch UMP
Manchester Arms Commando MK-45
Manchester Arms MK-9
SAR-4800
SIG AMT SG510 in all forms
SIG SG550 in all forms
SKS
Spectre M4
Springfield Armory BM-59
Springfield Armory G3
Springfield Armory SAR-8
Springfield Armory SAR-48
Springfield Armory SAR-3
Springfield Armory M-21 sniper
Springfield Armory M1A
Smith & Wesson M&P 15
Sterling Mk 1
Sterling Mk 6/7
Steyr AUG
TNW M230
FAMAS F11
Uzi 9mm carbine/rifle

31 (ii) A semiautomatic rifle that has an overall length of less  
32 than 30 inches;

1 (iii) A conversion kit, part, or combination of parts, from which  
2 an assault weapon can be assembled or from which a firearm can be  
3 converted into an assault weapon if those parts are in the possession  
4 or under the control of the same person; or

5 (iv) A semiautomatic, center fire rifle that has the capacity to  
6 accept a detachable magazine and has one or more of the following:

7 (A) A grip that is independent or detached from the stock that  
8 protrudes conspicuously beneath the action of the weapon. The  
9 addition of a fin attaching the grip to the stock does not exempt the  
10 grip if it otherwise resembles the grip found on a pistol;

11 (B) Thumbhole stock;

12 (C) Folding or telescoping stock;

13 (D) Forward pistol, vertical, angled, or other grip designed for  
14 use by the nonfiring hand to improve control;

15 (E) Flash suppressor, flash guard, flash eliminator, flash hider,  
16 sound suppressor, silencer, or any item designed to reduce the visual  
17 or audio signature of the firearm;

18 (F) Muzzle brake, recoil compensator, or any item designed to be  
19 affixed to the barrel to reduce recoil or muzzle rise;

20 (G) Threaded barrel designed to attach a flash suppressor, sound  
21 suppressor, muzzle break, or similar item;

22 (H) Grenade launcher or flare launcher; or

23 (I) A shroud that encircles either all or part of the barrel  
24 designed to shield the bearer's hand from heat, except a solid  
25 forearm of a stock that covers only the bottom of the barrel;

26 (v) A semiautomatic, center fire rifle that has a fixed magazine  
27 with the capacity to accept more than 10 rounds;

28 (vi) A semiautomatic pistol that has the capacity to accept a  
29 detachable magazine and has one or more of the following:

30 (A) A threaded barrel, capable of accepting a flash suppressor,  
31 forward handgrip, or silencer;

32 (B) A second hand grip;

33 (C) A shroud that encircles either all or part of the barrel  
34 designed to shield the bearer's hand from heat, except a solid  
35 forearm of a stock that covers only the bottom of the barrel; or

36 (D) The capacity to accept a detachable magazine at some location  
37 outside of the pistol grip;

38 (vii) A semiautomatic shotgun that has any of the following:

39 (A) A folding or telescoping stock;

1 (B) A grip that is independent or detached from the stock that  
2 protrudes conspicuously beneath the action of the weapon. The  
3 addition of a fin attaching the grip to the stock does not exempt the  
4 grip if it otherwise resembles the grip found on a pistol;

5 (C) A thumbhole stock;

6 (D) A forward pistol, vertical, angled, or other grip designed  
7 for use by the nonfiring hand to improve control;

8 (E) A fixed magazine in excess of seven rounds; or

9 (F) A revolving cylinder shotgun.

10 (b) For the purposes of this subsection, "fixed magazine" means  
11 an ammunition feeding device contained in, or permanently attached  
12 to, a firearm in such a manner that the device cannot be removed  
13 without disassembly of the firearm action.

14 (c) "Assault weapon" does not include antique firearms, any  
15 firearm that has been made permanently inoperable, or any firearm  
16 that is manually operated by bolt, pump, lever, or slide action.

17 (3) "Assemble" means to fit together component parts.

18 (4) "Barrel length" means the distance from the bolt face of a  
19 closed action down the length of the axis of the bore to the crown of  
20 the muzzle, or in the case of a barrel with attachments to the end of  
21 any legal device permanently attached to the end of the muzzle.

22 (5) "BB device" means any instrument that expels a projectile,  
23 such as a BB or pellet, not exceeding six millimeters caliber,  
24 through the force of air pressure, gas pressure, or spring action, or  
25 any spot marker gun.

26 (6) "Bump-fire stock" means a butt stock designed to be attached  
27 to a semiautomatic firearm with the effect of increasing the rate of  
28 fire achievable with the semiautomatic firearm to that of a fully  
29 automatic firearm by using the energy from the recoil of the firearm  
30 to generate reciprocating action that facilitates repeated activation  
31 of the trigger.

32 ((+6)) (7) "Conviction" or "convicted" means, whether in an  
33 adult court or adjudicated in a juvenile court, that a plea of guilty  
34 has been accepted or a verdict of guilty has been filed, or a finding  
35 of guilt has been entered, notwithstanding the pendency of any future  
36 proceedings including, but not limited to, sentencing or disposition,  
37 posttrial or post-fact-finding motions, and appeals. "Conviction"  
38 includes a dismissal entered after a period of probation, suspension,  
39 or deferral of sentence, and also includes equivalent dispositions by  
40 courts in jurisdictions other than Washington state.

1           ~~((7))~~ (8) "Crime of violence" means:  
2           (a) Any of the following felonies, as now existing or hereafter  
3 amended: Any felony defined under any law as a class A felony or an  
4 attempt to commit a class A felony, criminal solicitation of or  
5 criminal conspiracy to commit a class A felony, manslaughter in the  
6 first degree, manslaughter in the second degree, indecent liberties  
7 if committed by forcible compulsion, kidnapping in the second degree,  
8 arson in the second degree, assault in the second degree, assault of  
9 a child in the second degree, extortion in the first degree, burglary  
10 in the second degree, residential burglary, and robbery in the second  
11 degree;  
12           (b) Any conviction for a felony offense in effect at any time  
13 prior to June 6, 1996, which is comparable to a felony classified as  
14 a crime of violence in (a) of this subsection; and  
15           (c) Any federal or out-of-state conviction for an offense  
16 comparable to a felony classified as a crime of violence under (a) or  
17 (b) of this subsection.  
18           ~~((8))~~ (9) "Curio or relic" has the same meaning as provided in  
19 27 C.F.R. Sec. 478.11.  
20           ~~((9))~~ (10) "Dealer" means a person engaged in the business of  
21 selling firearms at wholesale or retail who has, or is required to  
22 have, a federal firearms license under 18 U.S.C. Sec. 923(a). A  
23 person who does not have, and is not required to have, a federal  
24 firearms license under 18 U.S.C. Sec. 923(a), is not a dealer if that  
25 person makes only occasional sales, exchanges, or purchases of  
26 firearms for the enhancement of a personal collection or for a hobby,  
27 or sells all or part of his or her personal collection of firearms.  
28           ~~((10))~~ (11) "Detachable magazine" means an ammunition feeding  
29 device that can be loaded or unloaded while detached from a firearm  
30 and readily inserted into a firearm.  
31           ~~((11))~~ (12) "Distribute" means to give out, provide, make  
32 available, or deliver a firearm or large capacity magazine to any  
33 person in this state, with or without consideration, whether the  
34 distributor is in-state or out-of-state. "Distribute" includes, but  
35 is not limited to, filling orders placed in this state, online or  
36 otherwise. "Distribute" also includes causing a firearm or large  
37 capacity magazine to be delivered in this state.  
38           ~~((12))~~ (13) "Domestic violence" has the same meaning as  
39 provided in RCW 10.99.020.

1       (~~(13)~~) (14) "Family or household member" has the same meaning  
2 as in RCW 7.105.010.

3       (~~(14)~~) (15) "Federal firearms dealer" means a licensed dealer  
4 as defined in 18 U.S.C. Sec. 921(a)(11).

5       (~~(15)~~) (16) "Federal firearms importer" means a licensed  
6 importer as defined in 18 U.S.C. Sec. 921(a)(9).

7       (~~(16)~~) (17) "Federal firearms manufacturer" means a licensed  
8 manufacturer as defined in 18 U.S.C. Sec. 921(a)(10).

9       (~~(17)~~) (18) "Felony" means any felony offense under the laws of  
10 this state or any federal or out-of-state offense comparable to a  
11 felony offense under the laws of this state.

12       (~~(18)~~) (19) "Felony firearm offender" means a person who has  
13 previously been convicted or found not guilty by reason of insanity  
14 in this state of any felony firearm offense. A person is not a felony  
15 firearm offender under this chapter if any and all qualifying  
16 offenses have been the subject of an expungement, pardon, annulment,  
17 certificate, or rehabilitation, or other equivalent procedure based  
18 on a finding of the rehabilitation of the person convicted or a  
19 pardon, annulment, or other equivalent procedure based on a finding  
20 of innocence.

21       (~~(19)~~) (20) "Felony firearm offense" means:

22       (a) Any felony offense that is a violation of this chapter;

23       (b) A violation of RCW 9A.36.045;

24       (c) A violation of RCW 9A.56.300;

25       (d) A violation of RCW 9A.56.310;

26       (e) Any felony offense if the offender was armed with a firearm  
27 in the commission of the offense.

28       (~~(20)~~) (21) "Firearm" means a weapon or device from which a  
29 projectile or projectiles may be fired by an explosive such as  
30 gunpowder. For the purposes of RCW 9.41.040, "firearm" also includes  
31 frames and receivers. "Firearm" does not include a flare gun or other  
32 pyrotechnic visual distress signaling device, or a powder-actuated  
33 tool or other device designed solely to be used for construction  
34 purposes.

35       (~~(21)~~) (22)(a) "Frame or receiver" means a part of a firearm  
36 that, when the complete firearm is assembled, is visible from the  
37 exterior and provides housing or a structure designed to hold or  
38 integrate one or more fire control components, even if pins or other  
39 attachments are required to connect the fire control components. Any  
40 such part identified with a serial number shall be presumed, absent

1 an official determination by the bureau of alcohol, tobacco,  
2 firearms, and explosives or other reliable evidence to the contrary,  
3 to be a frame or receiver.

4 (b) For purposes of this subsection, "fire control component"  
5 means a component necessary for the firearm to initiate, complete, or  
6 continue the firing sequence, including any of the following: Hammer,  
7 bolt, bolt carrier, breechblock, cylinder, trigger mechanism, firing  
8 pin, striker, or slide rails.

9 ~~((22))~~ (23) "Gun" has the same meaning as firearm.

10 ~~((23))~~ (24) (a) "Imitation firearm" means any BB device, toy  
11 gun, replica of a firearm, or other device that is so substantially  
12 similar in coloration and overall appearance to an existing firearm  
13 as to lead a reasonable person to perceive that the device is a  
14 firearm.

15 (b) "Imitation firearm" does not include:

16 (i) A nonfiring collector's replica that is historically  
17 significant, and is offered for sale in conjunction with a wall  
18 plaque or presentation case; or

19 (ii) A spot marker gun which expels a projectile that is greater  
20 than 10 millimeters.

21 (25) "Import" means to move, transport, or receive an item from a  
22 place outside the territorial limits of the state of Washington to a  
23 place inside the territorial limits of the state of Washington.  
24 "Import" does not mean situations where an individual possesses a  
25 large capacity magazine or assault weapon when departing from, and  
26 returning to, Washington state, so long as the individual is  
27 returning to Washington in possession of the same large capacity  
28 magazine or assault weapon the individual transported out of state.

29 ~~((24))~~ (26) "Intimate partner" has the same meaning as provided  
30 in RCW 7.105.010.

31 ~~((25))~~ (27) "Large capacity magazine" means an ammunition  
32 feeding device with the capacity to accept more than 10 rounds of  
33 ammunition, or any conversion kit, part, or combination of parts,  
34 from which such a device can be assembled if those parts are in  
35 possession of or under the control of the same person, but shall not  
36 be construed to include any of the following:

37 (a) An ammunition feeding device that has been permanently  
38 altered so that it cannot accommodate more than 10 rounds of  
39 ammunition;

40 (b) A 22 caliber tube ammunition feeding device; or



1 (c) A tubular magazine that is contained in a lever-action  
2 firearm.

3 ~~((26))~~ (28) "Law enforcement officer" includes a general  
4 authority Washington peace officer as defined in RCW 10.93.020, or a  
5 specially commissioned Washington peace officer as defined in RCW  
6 10.93.020. "Law enforcement officer" also includes a limited  
7 authority Washington peace officer as defined in RCW 10.93.020 if  
8 such officer is duly authorized by his or her employer to carry a  
9 concealed pistol.

10 ~~((27))~~ (29) "Lawful permanent resident" has the same meaning  
11 afforded a person "lawfully admitted for permanent residence" in 8  
12 U.S.C. Sec. 1101(a)(20).

13 ~~((28))~~ (30) "Licensed collector" means a person who is  
14 federally licensed under 18 U.S.C. Sec. 923(b).

15 ~~((29))~~ (31) "Licensed dealer" means a person who is federally  
16 licensed under 18 U.S.C. Sec. 923(a).

17 ~~((30))~~ (32) "Loaded" means:

18 (a) There is a cartridge in the chamber of the firearm;

19 (b) Cartridges are in a clip that is locked in place in the  
20 firearm;

21 (c) There is a cartridge in the cylinder of the firearm, if the  
22 firearm is a revolver;

23 (d) There is a cartridge in the tube or magazine that is inserted  
24 in the action; or

25 (e) There is a ball in the barrel and the firearm is capped or  
26 primed if the firearm is a muzzle loader.

27 ~~((31))~~ (33) "Machine gun" means any firearm known as a machine  
28 gun, mechanical rifle, submachine gun, or any other mechanism or  
29 instrument not requiring that the trigger be pressed for each shot  
30 and having a reservoir clip, disc, drum, belt, or other separable  
31 mechanical device for storing, carrying, or supplying ammunition  
32 which can be loaded into the firearm, mechanism, or instrument, and  
33 fired therefrom at the rate of five or more shots per second.

34 ~~((32))~~ (34) "Manufacture" means, with respect to a firearm or  
35 large capacity magazine, the fabrication, making, formation,  
36 production, or construction of a firearm or large capacity magazine,  
37 by manual labor or by machinery.

38 ~~((33))~~ (35) "Mental health professional" means a psychiatrist,  
39 psychologist, or physician assistant working with a psychiatrist who  
40 is acting as a participating physician as defined in RCW 18.71A.010,

1 psychiatric advanced practice registered nurse practitioner,  
2 psychiatric nurse, social worker, mental health counselor, marriage  
3 and family therapist, or such other mental health professionals as  
4 may be defined in statute or by rules adopted by the department of  
5 health pursuant to the provisions of chapter 71.05 RCW.

6 ~~((34))~~ (36) "Nonimmigrant alien" means a person defined as such  
7 in 8 U.S.C. Sec. 1101(a) (15).

8 ~~((35))~~ (37) "Person" means any individual, corporation,  
9 company, association, firm, partnership, club, organization, society,  
10 joint stock company, or other legal entity.

11 ~~((36))~~ (38) "Pistol" means any firearm with a barrel less than  
12 16 inches in length, or is designed to be held and fired by the use  
13 of a single hand.

14 ~~((37))~~ (39) "Rifle" means a weapon designed or redesigned, made  
15 or remade, and intended to be fired from the shoulder and designed or  
16 redesigned, made or remade, and intended to use the energy of the  
17 explosive in a fixed metallic cartridge to fire only a single  
18 projectile through a rifled bore for each single pull of the trigger.

19 ~~((38))~~ (40) "Sale" and "sell" mean the actual approval of the  
20 delivery of a firearm in consideration of payment or promise of  
21 payment.

22 ~~((39))~~ (41) "Secure gun storage" means:

23 (a) A locked box, gun safe, or other secure locked storage space  
24 that is designed to prevent unauthorized use or discharge of a  
25 firearm; and

26 (b) The act of keeping an unloaded firearm stored by such means.

27 ~~((40))~~ (42) "Semiautomatic" means any firearm which utilizes a  
28 portion of the energy of a firing cartridge to extract the fired  
29 cartridge case and chamber the next round, and which requires a  
30 separate pull of the trigger to fire each cartridge.

31 ~~((41))~~ (43) (a) "Semiautomatic assault rifle" means any rifle  
32 which utilizes a portion of the energy of a firing cartridge to  
33 extract the fired cartridge case and chamber the next round, and  
34 which requires a separate pull of the trigger to fire each cartridge.

35 (b) "Semiautomatic assault rifle" does not include antique  
36 firearms, any firearm that has been made permanently inoperable, or  
37 any firearm that is manually operated by bolt, pump, lever, or slide  
38 action.

1       (~~(42)~~) (44) "Serious offense" means any of the following  
2 felonies or a felony attempt to commit any of the following felonies,  
3 as now existing or hereafter amended:

4       (a) Any crime of violence;

5       (b) Any felony violation of the uniform controlled substances  
6 act, chapter 69.50 RCW, that is classified as a class B felony or  
7 that has a maximum term of imprisonment of at least 10 years;

8       (c) Child molestation in the second degree;

9       (d) Incest when committed against a child under age 14;

10       (e) Indecent liberties;

11       (f) Leading organized crime;

12       (g) Promoting prostitution in the first degree;

13       (h) Rape in the third degree;

14       (i) Drive-by shooting;

15       (j) Sexual exploitation;

16       (k) Vehicular assault, when caused by the operation or driving of  
17 a vehicle by a person while under the influence of intoxicating  
18 liquor or any drug or by the operation or driving of a vehicle in a  
19 reckless manner;

20       (l) Vehicular homicide, when proximately caused by the driving of  
21 any vehicle by any person while under the influence of intoxicating  
22 liquor or any drug as defined by RCW 46.61.502, or by the operation  
23 of any vehicle in a reckless manner;

24       (m) Any other class B felony offense with a finding of sexual  
25 motivation, as "sexual motivation" is defined under RCW 9.94A.030;

26       (n) Any other felony with a deadly weapon verdict under RCW  
27 9.94A.825;

28       (o) Any felony offense in effect at any time prior to June 6,  
29 1996, that is comparable to a serious offense, or any federal or out-  
30 of-state conviction for an offense that under the laws of this state  
31 would be a felony classified as a serious offense;

32       (p) Any felony conviction under RCW 9.41.115; or

33       (q) Any felony charged under RCW 46.61.502(6) or 46.61.504(6).

34       (~~(43)~~) (45) "Sex offense" has the same meaning as provided in  
35 RCW 9.94A.030.

36       (~~(44)~~) (46) "Short-barreled rifle" means a rifle having one or  
37 more barrels less than 16 inches in length and any weapon made from a  
38 rifle by any means of modification if such modified weapon has an  
39 overall length of less than 26 inches.

1       (~~(45)~~) (47) "Short-barreled shotgun" means a shotgun having one  
2 or more barrels less than 18 inches in length and any weapon made  
3 from a shotgun by any means of modification if such modified weapon  
4 has an overall length of less than 26 inches.

5       (~~(46)~~) (48) "Shotgun" means a weapon with one or more barrels,  
6 designed or redesigned, made or remade, and intended to be fired from  
7 the shoulder and designed or redesigned, made or remade, and intended  
8 to use the energy of the explosive in a fixed shotgun shell to fire  
9 through a smooth bore either a number of ball shot or a single  
10 projectile for each single pull of the trigger.

11       (~~(47)~~) (49) "Substance use disorder professional" means a  
12 person certified under chapter 18.205 RCW.

13       (~~(48)~~) (50) "Transfer" means the intended delivery of a firearm  
14 to another person without consideration of payment or promise of  
15 payment including, but not limited to, gifts and loans. "Transfer"  
16 does not include the delivery of a firearm owned or leased by an  
17 entity licensed or qualified to do business in the state of  
18 Washington to, or return of such a firearm by, any of that entity's  
19 employees or agents, defined to include volunteers participating in  
20 an honor guard, for lawful purposes in the ordinary course of  
21 business.

22       (~~(49)~~) (51) "Undetectable firearm" means any firearm that is  
23 not as detectable as 3.7 ounces of 17-4 PH stainless steel by walk-  
24 through metal detectors or magnetometers commonly used at airports or  
25 any firearm where the barrel, the slide or cylinder, or the frame or  
26 receiver of the firearm would not generate an image that accurately  
27 depicts the shape of the part when examined by the types of X-ray  
28 machines commonly used at airports.

29       (~~(50)~~) (52) (a) "Unfinished frame or receiver" means a frame or  
30 receiver that is partially complete, disassembled, or inoperable,  
31 that: (i) Has reached a stage in manufacture where it may readily be  
32 completed, assembled, converted, or restored to a functional state;  
33 or (ii) is marketed or sold to the public to become or be used as the  
34 frame or receiver of a functional firearm once finished or completed,  
35 including without limitation products marketed or sold to the public  
36 as an 80 percent frame or receiver or unfinished frame or receiver.

37       (b) For purposes of this subsection:

38       (i) "Readily" means a process that is fairly or reasonably  
39 efficient, quick, and easy, but not necessarily the most efficient,  
40 speedy, or easy process. Factors relevant in making this

1 determination, with no single one controlling, include the following:  
2 (A) Time, i.e., how long it takes to finish the process; (B) ease,  
3 i.e., how difficult it is to do so; (C) expertise, i.e., what  
4 knowledge and skills are required; (D) equipment, i.e., what tools  
5 are required; (E) availability, i.e., whether additional parts are  
6 required, and how easily they can be obtained; (F) expense, i.e., how  
7 much it costs; (G) scope, i.e., the extent to which the subject of  
8 the process must be changed to finish it; and (H) feasibility, i.e.,  
9 whether the process would damage or destroy the subject of the  
10 process, or cause it to malfunction.

11 (ii) "Partially complete," as it modifies frame or receiver,  
12 means a forging, casting, printing, extrusion, machined body, or  
13 similar article that has reached a stage in manufacture where it is  
14 clearly identifiable as an unfinished component part of a firearm.

15 (~~(51)~~) (53) "Unlicensed person" means any person who is not a  
16 licensed dealer under this chapter.

17 (~~(52)~~) (54) "Untraceable firearm" means any firearm  
18 manufactured after July 1, 2019, that is not an antique firearm and  
19 that cannot be traced by law enforcement by means of a serial number  
20 affixed to the firearm by a federal firearms manufacturer, federal  
21 firearms importer, or federal firearms dealer in compliance with all  
22 federal laws and regulations.

23 (~~(53)~~) (55) "Washington state patrol firearms background check  
24 program" means the division within the state patrol that conducts  
25 background checks for all firearm transfers and the disposition of  
26 firearms.

27 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.41 RCW  
28 to read as follows:

29 (1) A manufacturer, importer, or distributor of imitation  
30 firearms who changes, alters, removes, or obliterates any coloration  
31 or markings that are required by any applicable state or federal law  
32 or regulation, for any imitation firearm in a way that makes the  
33 imitation firearm or device look more like a firearm, is guilty of a  
34 misdemeanor.

35 (2) Any manufacturer, importer, or distributor of toy, look-  
36 alike, or imitation firearms that fails to comply with any applicable  
37 federal law or regulation governing the marking of a toy, look-alike,  
38 or imitation firearm, is guilty of a misdemeanor. The definition of  
39 imitation firearm does not apply to this subsection.

1 (3) (a) Any imitation firearm manufactured after July 1, 2005,  
2 shall, at the time of offer for sale in this state, be accompanied by  
3 a conspicuous advisory in writing as part of the packaging, but not  
4 necessarily affixed to the imitation firearm, to the effect that the  
5 product may be mistaken for a firearm by law enforcement officers or  
6 others, that altering the coloration or markings required by state or  
7 federal law or regulations so as to make the product look more like a  
8 firearm is dangerous and may be a crime, and that brandishing or  
9 displaying the product in public may cause confusion and may be a  
10 crime.

11 (b) Any manufacturer, importer, or distributor that fails to  
12 comply with this advisory for any imitation firearm manufactured  
13 after July 1, 2005, shall be liable for a civil fine for each action  
14 brought by the state or local prosecutor of not more than \$1,000 for  
15 the first action, \$5,000 for the second action, and \$10,000 for third  
16 and subsequent actions.

17 (4) (a) Any person who, for commercial purposes, purchases, sells,  
18 manufactures, ships, transports, distributes, or receives by mail  
19 order in any other manner, an imitation firearm, except as authorized  
20 by this section, is liable for a civil fine in an action brought by  
21 the state or local prosecutor of not more than \$10,000 for each  
22 violation.

23 (b) The manufacture, purchase, sale, shipping, transport,  
24 distribution, or receipt, by mail or in any other manner, of an  
25 imitation firearm is authorized if the device is manufactured,  
26 purchased, sold, shipped, transported, distributed, or received for  
27 any of the following purposes:

28 (i) Solely for export in interstate or foreign commerce;

29 (ii) Solely for lawful use in theatrical productions, including  
30 motion picture, television, and stage productions;

31 (iii) For use in a certified or regulated sporting event or  
32 competition;

33 (iv) For use in military or civil defense activities, or  
34 ceremonial activities; or

35 (v) For public displays authorized by public or private schools.

36 (5) The manufacture, purchase, sale, shipping, transport,  
37 distribution, or receipt, by mail or in any other manner, of an  
38 imitation firearm is authorized if the entire exterior surface of the  
39 imitation firearm is white, bright red, bright orange, bright yellow,  
40 bright green, bright blue, bright pink, or bright purple, either

1 singly or as the predominant color in combination with other colors  
2 in any pattern, or the entire device is constructed of translucent  
3 material that permits unmistakable observation of the device's  
4 complete contents. Merely having an orange tip as provided in federal  
5 law and regulations does not satisfy this requirement. The entire  
6 surface must be colored or transparent or translucent.

--- **END** ---