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HOUSE BILL 1052

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State of Washington

53rd Legislature

1993 Regular Session

By Representatives Scott, G. Cole, Wineberry, Eide, Wang, Franklin, Anderson and Thibaudeau

Read first time 01/13/93. Referred to Committee on Judiciary.

1 AN ACT Relating to handgun control; reenacting and amending RCW  
2 9.41.010; adding a new section to chapter 9.41 RCW; and prescribing  
3 penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 9.41 RCW  
6 to read as follows:

7 (1) No licensed firearms dealer shall sell a handgun unless the  
8 dealer (a) offers to sell the purchaser a trigger-locking device, (b)  
9 explains the operation of the trigger-locking device, and (c) obtains  
10 from the purchaser either (i) a receipt of the sale or (ii) a signed  
11 statement from the purchaser declining to buy the device. The receipt  
12 or the statement shall be kept with the dealer's records required by  
13 RCW 9.41.110 and retained by the dealer for six years.

14 (2) This section shall not apply to sales of handguns:

15 (a) To a licensed firearms dealer for bona fide resale in the  
16 ordinary course of business; or

17 (b) To an official government law enforcement or armed services  
18 agency.

1 (3) Violation of this section is a misdemeanor punishable by a fine  
2 of not more than one thousand dollars or imprisonment for not more than  
3 six months, or both.

4 (4) For the purposes of this section:

5 (a) "Licensed firearms dealer" means a person licensed to sell  
6 firearms pursuant to RCW 9.41.110.

7 (b) "Trigger-locking device" means a padlock, key lock, combination  
8 lock, or similar locking device which, when the device is locked on,  
9 around, or in the firearm, renders the firearm incapable of firing.

10 **Sec. 2.** RCW 9.41.010 and 1992 c 205 s 117 and 1992 c 145 s 5 are  
11 each reenacted and amended to read as follows:

12 (1) "Short firearm," (~~(or)~~) "pistol," or "handgun" as used in this  
13 chapter means any firearm with a barrel less than twelve inches in  
14 length.

15 (2) "Crime of violence" as used in this chapter means:

16 (a) Any of the following felonies, as now existing or hereafter  
17 amended: Any felony defined under any law as a class A felony or an  
18 attempt to commit a class A felony, criminal solicitation of or  
19 criminal conspiracy to commit a class A felony, manslaughter in the  
20 first degree, manslaughter in the second degree, indecent liberties if  
21 committed by forcible compulsion, rape in the second degree, kidnapping  
22 in the second degree, arson in the second degree, assault in the second  
23 degree, assault of a child in the second degree, extortion in the first  
24 degree, burglary in the second degree, and robbery in the second  
25 degree;

26 (b) Any conviction or adjudication for a felony offense in effect  
27 at any time prior to July 1, 1976, which is comparable to a felony  
28 classified as a crime of violence in subsection (2)(a) of this section;  
29 and

30 (c) Any federal or out-of-state conviction or adjudication for an  
31 offense comparable to a felony classified as a crime of violence under  
32 subsection (2) (a) or (b) of this section.

33 (3) "Firearm" as used in this chapter means a weapon or device from  
34 which a projectile may be fired by an explosive such as gunpowder.

35 (4) "Commercial seller" as used in this chapter means a person who  
36 has a federal firearms license.

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