

ESHB 2347 - S COMM AMD  
By Committee on Judiciary

ADOPTED 03/01/2012

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 9.41.250 and 2011 c 13 s 1 are each amended to read  
4 as follows:

5 (1) Every person who:

6 (a) Manufactures, sells, or disposes of or possesses any instrument  
7 or weapon of the kind usually known as slung shot, sand club, or metal  
8 knuckles, or spring blade knife(~~(, or any knife the blade of which is~~  
9 ~~automatically released by a spring mechanism or other mechanical~~  
10 ~~device, or any knife having a blade which opens, or falls, or is~~  
11 ~~ejected into position by the force of gravity, or by an outward,~~  
12 ~~downward, or centrifugal thrust or movement));~~

13 (b) Furtively carries with intent to conceal any dagger, dirk,  
14 pistol, or other dangerous weapon; or

15 (c) Uses any contrivance or device for suppressing the noise of any  
16 firearm unless the suppressor is legally registered and possessed in  
17 accordance with federal law,  
18 is guilty of a gross misdemeanor punishable under chapter 9A.20 RCW.

19 (2) (~~Subsection (1)(a) of this section does not apply to:~~

20 ~~(a) The possession of a spring blade knife by a law enforcement~~  
21 ~~officer while the officer:~~

22 ~~(i) Is on official duty; or~~

23 ~~(ii) Is transporting the knife to or from the place where the knife~~  
24 ~~is stored when the officer is not on official duty; or~~

25 ~~(b) The storage of a spring blade knife by a law enforcement~~  
26 ~~officer.)~~ "Spring blade knife" means any knife, including a prototype,  
27 model, or other sample, with a blade that is automatically released by  
28 a spring mechanism or other mechanical device, or any knife having a  
29 blade which opens, or falls, or is ejected into position by the force  
30 of gravity, or by an outward, downward, or centrifugal thrust or

1 movement. A knife that contains a spring, detent, or other mechanism  
2 designed to create a bias toward closure of the blade and that requires  
3 physical exertion applied to the blade by hand, wrist, or arm to  
4 overcome the bias toward closure to assist in opening the knife is not  
5 a spring blade knife.

6 NEW SECTION. Sec. 2. A new section is added to chapter 9.41 RCW  
7 to read as follows:

8 (1) RCW 9.41.250 does not apply to:

9 (a) The possession or use of a spring blade knife by a general  
10 authority law enforcement officer, firefighter or rescue member,  
11 Washington state patrol officer, or military member, while the officer  
12 or member:

13 (i) Is on official duty; or

14 (ii) Is transporting a spring blade knife to or from the place  
15 where the knife is stored when the officer or member is not on official  
16 duty; or

17 (iii) Is storing a spring blade knife;

18 (b) The manufacture, sale, transportation, transfer, distribution,  
19 or possession of spring blade knives pursuant to contract with a  
20 general authority law enforcement agency, fire or rescue agency,  
21 Washington state patrol, or military service, or pursuant to a contract  
22 with another manufacturer or a commercial distributor of knives for  
23 use, sale, or other disposition by the manufacturer or commercial  
24 distributor;

25 (c) The manufacture, transportation, transfer, distribution, or  
26 possession of spring blade knives, with or without compensation and  
27 with or without a contract, solely for trial, test, or other  
28 provisional use for evaluation and assessment purposes, by a general  
29 authority law enforcement agency, fire or rescue agency, Washington  
30 state patrol, military service, or a manufacturer or commercial  
31 distributor of knives.

32 (2) For the purposes of this section:

33 (a) "Military member" means an active member of the United States  
34 military or naval forces, or a Washington national guard member called  
35 to active duty or during training.

36 (b) "General law enforcement agency" means any agency, department,  
37 or division of a municipal corporation, political subdivision, or other

1 unit of local government of this state or any other state, and any  
2 agency, department, or division of any state government, having as its  
3 primary function the detection and apprehension of persons committing  
4 infractions or violating the traffic or criminal laws in general.

5 (c) "General law enforcement officer" means any person who is  
6 commissioned and employed by an employer on a full-time, fully  
7 compensated basis to enforce the criminal laws of the state of  
8 Washington generally. No person who is serving in a position that is  
9 basically clerical or secretarial in nature, or who is not commissioned  
10 shall be considered a law enforcement officer.

11 (d) "Fire or rescue agency" means any agency, department, or  
12 division of a municipal corporation, political subdivision, or other  
13 unit of local government of this state or any other state, and any  
14 agency, department, or division of any state government, having as its  
15 primary function the prevention, control, or extinguishment of fire or  
16 provision of emergency medical services or rescue actions for persons.

17 (e) "Firefighter or rescue member" means any person who is serving  
18 on a full-time, fully compensated basis as a member of a fire or rescue  
19 agency to prevent, control, or extinguish fire or provide emergency  
20 medical services or rescue actions for persons. No person who is  
21 serving in a position that is basically clerical or secretarial in  
22 nature shall be considered a firefighter or rescue member.

23 (f) "Military service" means the active, reserve, or national guard  
24 components of the United States military, including the army, navy, air  
25 force, marines, and coast guard."

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26 On page 1, line 1 of the title, after "knives;" strike the  
27 remainder of the title and insert "amending RCW 9.41.250; adding a new  
28 section to chapter 9.41 RCW; and prescribing penalties."

EFFECT: "Military member" includes Washington national guard

members called to active duty or during training.

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