

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2347

62nd Legislature
2012 Regular Session

Passed by the House March 5, 2012
Yeas 94 Nays 0

Speaker of the House of Representatives

Passed by the Senate March 1, 2012
Yeas 47 Nays 2

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2347** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2347

AS AMENDED BY THE SENATE

Passed Legislature - 2012 Regular Session

State of Washington **62nd Legislature** **2012 Regular Session**

By House Judiciary (originally sponsored by Representatives Dammeier, Kelley, Wilcox, Van De Wege, Pearson, Hurst, Zeiger, Seaquist, Rodne, Ladenburg, Hope, Green, Klippert, and Moscoso)

READ FIRST TIME 01/31/12.

1 AN ACT Relating to the possession of spring blade knives; amending
2 RCW 9.41.250; 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 **Sec. 1.** RCW 9.41.250 and 2011 c 13 s 1 are each amended to read as
6 follows:

7 (1) Every person who:

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

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

17 (c) Uses any contrivance or device for suppressing the noise of any
18 firearm unless the suppressor is legally registered and possessed in
19 accordance with federal law,

1 is guilty of a gross misdemeanor punishable under chapter 9A.20 RCW.

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

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

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

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

8 ~~(b) The storage of a spring blade knife by a law enforcement~~
9 ~~officer.)) "Spring blade knife" means any knife, including a prototype,~~

10 ~~model, or other sample, with a blade that is automatically released by~~
11 ~~a spring mechanism or other mechanical device, or any knife having a~~

12 ~~blade which opens, or falls, or is ejected into position by the force~~
13 ~~of gravity, or by an outward, downward, or centrifugal thrust or~~

14 ~~movement. A knife that contains a spring, detent, or other mechanism~~
15 ~~designed to create a bias toward closure of the blade and that requires~~

16 ~~physical exertion applied to the blade by hand, wrist, or arm to~~
17 ~~overcome the bias toward closure to assist in opening the knife is not~~

18 ~~a spring blade knife.~~

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

21 (1) RCW 9.41.250 does not apply to:

22 (a) The possession or use of a spring blade knife by a general
23 authority law enforcement officer, firefighter or rescue member,
24 Washington state patrol officer, or military member, while the officer
25 or member:

26 (i) Is on official duty; or

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

30 (iii) Is storing a spring blade knife;

31 (b) The manufacture, sale, transportation, transfer, distribution,
32 or possession of spring blade knives pursuant to contract with a
33 general authority law enforcement agency, fire or rescue agency,
34 Washington state patrol, or military service, or pursuant to a contract
35 with another manufacturer or a commercial distributor of knives for
36 use, sale, or other disposition by the manufacturer or commercial
37 distributor;

1 (c) The manufacture, transportation, transfer, distribution, or
2 possession of spring blade knives, with or without compensation and
3 with or without a contract, solely for trial, test, or other
4 provisional use for evaluation and assessment purposes, by a general
5 authority law enforcement agency, fire or rescue agency, Washington
6 state patrol, military service, or a manufacturer or commercial
7 distributor of knives.

8 (2) For the purposes of this section:

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

12 (b) "General law enforcement agency" means any agency, department,
13 or division of a municipal corporation, political subdivision, or other
14 unit of local government of this state or any other state, and any
15 agency, department, or division of any state government, having as its
16 primary function the detection and apprehension of persons committing
17 infractions or violating the traffic or criminal laws in general.

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

24 (d) "Fire or rescue agency" means any agency, department, or
25 division of a municipal corporation, political subdivision, or other
26 unit of local government of this state or any other state, and any
27 agency, department, or division of any state government, having as its
28 primary function the prevention, control, or extinguishment of fire or
29 provision of emergency medical services or rescue actions for persons.

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

36 (f) "Military service" means the active, reserve, or national guard

1 components of the United States military, including the army, navy, air
2 force, marines, and coast guard.

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