
Judiciary Committee

SB 5956

Title: An act relating to short-barreled rifles.

Brief Description: Concerning short-barreled rifles.

Sponsors: Senators Hatfield, Sheldon and Braun.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Legalizes the possession, transportation, acquisition, or transfer of a short-barreled rifle that is legally registered and possessed, transported, acquired, or transferred in compliance with federal law.
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Hearing Date: 2/26/14

Staff: Edie Adams (786-7180).

Background:

With certain exceptions, it is a class C felony in Washington for a person to manufacture, own, buy, sell, loan, furnish, transport or have in the person's possession a machine gun, short-barreled shotgun, or short-barreled rifle. It is an affirmative defense to prosecution that the person acquired the firearm prior to July 1, 1994, and possesses the firearm in compliance with federal law.

A "short-barreled rifle" is a rifle having a barrel or barrels less than 16 inches in length, or a weapon made from a rifle if the modified weapon has an overall length of less than 26 inches.

The National Firearms Act (NFA) regulates the manufacture, importation, and transfer of certain firearms, including short-barreled rifles, destructive devices, and other weapons. Items regulated under the NFA are referred to as NFA firearms. NFA firearms must be registered in a database maintained by the National Firearms Act Branch of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A person wishing to acquire a NFA firearm has to obtain a certification from the local chief law enforcement officer, undergo a background check, obtain prior approval for the transfer, and pay a \$200 tax on the transaction. The ATF will not approve a transfer if the transfer would place the transferee in violation of any federal, state, or local law. The ATF also will not approve a transfer of a NFA firearm unless it is registered to the transferor. Unregistered NFA firearms generally may not be lawfully received, possessed, or transferred.

Under the NFA, a person is allowed to make his or her own NFA firearm by applying to the ATF and meeting certain requirements. These requirements include: obtaining prior approval and registration of the item, obtaining a certification from the chief of the local law enforcement agency, undergoing a background check, and paying a \$200 tax on the item.

A person who possesses a firearm registered in the National Firearms Registration and Transfer Record must retain proof of registration which must be made available to the ATF upon request.

Summary of Bill:

It is not unlawful for a person to possess, transport, acquire, or transfer a short-barreled rifle that is legally registered and possessed, transported, acquired, or transferred in compliance with federal law.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.