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**HOUSE BILL 1722**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Representatives Hayes, Blake, Sawyer, Manweller, Takko, Shea, Rodne, Taylor, McCaslin, and MacEwen

AN ACT Relating to the manufacture and repair of short-barreled rifles; and amending RCW 9.41.190.

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

**Sec.**  RCW 9.41.190 and 2014 c 201 s 1 are each amended to read as follows:

(1) Except as otherwise provided in this section, it is unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or have in possession or under control, any machine gun, short-barreled shotgun, or short-barreled rifle; or any part designed and intended solely and exclusively for use in a machine gun, short-barreled shotgun, or short-barreled rifle, or in converting a weapon into a machine gun, short-barreled shotgun, or short-barreled rifle; or to assemble or repair any machine gun, short-barreled shotgun, or short-barreled rifle.

(2) 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 accordance with federal law.

(3) Subsection (1) of this section shall not apply to:

(a) Any peace officer in the discharge of official duty or traveling to or from official duty, or to any officer or member of the armed forces of the United States or the state of Washington in the discharge of official duty or traveling to or from official duty; ((~~or~~))

(b) A person, including an employee of such person if the employee has undergone fingerprinting and a background check, who or which is exempt from or licensed under federal law, and engaged in the production, manufacture, repair, or testing of machine guns, short-barreled shotguns, or short-barreled rifles:

(i) To be used or purchased by the armed forces of the United States;

(ii) To be used or purchased by federal, state, county, or municipal law enforcement agencies; or

(iii) For exportation in compliance with all applicable federal laws and regulations; or

(c) A person, including an employee of such person if the employee has undergone fingerprinting and a background check, who or which is exempt from or licensed under federal law, and engaged in the production, manufacture, repair, or testing of short-barreled rifles to be used or purchased by a person who is not otherwise disqualified from possessing, transporting, acquiring, or transferring a short-barreled rifle and the short-barreled rifle is legally registered and possessed, transported, acquired, or transferred in accordance with federal law.

(4) It shall be an affirmative defense to a prosecution brought under this section that the machine gun or short-barreled shotgun was acquired prior to July 1, 1994, and is possessed in compliance with federal law.

(5) Any person violating this section is guilty of a class C felony.

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