

HOUSE BILL REPORT

SB 6025

As Passed House - Amended:

April 28, 2019

Title: An act relating to bump-fire stock buy-back program records.

Brief Description: Concerning bump-fire stock buy-back program records.

Sponsors: Senators Honeyford, Takko, Padden, Hobbs, Schoesler, Becker, Fortunato, Wilson, L., King, Zeiger, Short, Ericksen, Wagoner, Brown, Holy, Warnick, Braun, Sheldon and Conway.

Brief History:

Committee Activity:

None.

Floor Activity:

Passed House - Amended: 4/28/19, 97-1.

Brief Summary of Bill (As Amended by House)

- Exempts names, addresses, or other personal information of individuals who participated in the bump-fire stock buy-back program from disclosure under the Public Records Act.

Staff: Edie Adams (786-7180).

Background:

Bump-Fire Stock Buy-Back Program.

A bump-fire stock is a butt stock designed to be attached to a semiautomatic firearm with the effect of increasing the rate of fire achievable with the semiautomatic firearm to that of a fully automatic firearm by using the energy from the recoil of the firearm to generate reciprocating action that facilitates repeated activation of the trigger.

As of July 1, 2018, it is unlawful under state law for a person to manufacture or sell a bump-fire stock, and beginning July 1, 2019, it is unlawful to: manufacture, own, buy, sell, loan, furnish, transport, or possess any bump-fire stock or any part designed and intended solely

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and exclusively for use in a bump-fire stock. Under federal law, possession of bump-fire stocks became illegal effective March 26, 2019, as the result of the Department of Justice's adoption of a final rule amending the regulatory definition of machineguns to specifically include bump-stock devices.

A buy-back program was established in the Washington State Patrol (WSP) to allow a person possessing a bump-fire stock to relinquish up to five devices in exchange for \$150 per device. The program was operated on a first come, first serve basis and \$150,000 was appropriated for the purposes of the program. Under rules adopted by the WSP, a person participating in the buy-back program was required to complete a voucher form with the individuals' name and a valid address for payment to be mailed to the name and address on the voucher. The buy-back program ended in March, 2019. Subsequently, the WSP received requests for disclosure of public records regarding participants in the bump-fire stock buy-back program.

Public Records Act.

The Public Records Act (PRA) generally requires state and local agencies to make many government records available to the public for inspection upon request. There are, however, over 500 statutory exemptions for certain records or information contained in records. The PRA states that it is to be liberally construed, and its exemptions narrowly construed, to promote the public policy of allowing citizens to remain informed about and maintain oversight of the government.

When an agency receives a request for public records, the agency may (and in certain cases must) notify any person who is named in the records or to whom the records specifically pertain. That person or the agency may file a lawsuit in superior court seeking to enjoin the disclosure of the records. A judge may issue an injunction if disclosure of the records "would clearly not be in the public interest and would substantially and irreparably damage any person, or would substantially and irreparably damage vital government functions."

Summary of Bill:

The names, addresses, or other personal information of individuals who participated in the bump-fire stock buy-back program are exempt from disclosure under the Public Records Act. The exemption applies to any public records requests made prior to the effective date of the bill for which disclosure of records has not already occurred.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.