

# FINAL BILL REPORT

## SSB 5954

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Synopsis as Enacted

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

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senator Rolfes).

**Senate Committee on Ways & Means**  
**House Committee on Appropriations**

**Background:** On October 1, 2017, 58 people were killed and several hundred were wounded in Las Vegas, Nevada, when a shooter used one or more AR-type rifles affixed with a bump-fire stock device. Since that time, the regulation of bump-fire stocks have become a topic of national interest.

Bump-firing is the act of using the recoil of a semi-automatic firearm to fire shots in rapid succession. Bump-fire can be accomplished by holding the semi-automatic firearm in a loose way and allowing it to rock back and forth against the trigger finger, which simulates the ability of a fully automatic weapon. Bump-firing is inaccurate and a shooter has little control. Over the years, various bump-fire stocks have been developed. A bump-fire stock replaces the standard stock and grip of a firearm.

In Washington State, it is unlawful for any person to manufacture, sell, purchase, or possess a machine gun. Any machine gun or part designed for use in a machine gun is declared to be contraband and may be seized by law enforcement. A machine gun is generally defined as any firearm or other mechanism not requiring that the trigger be pressed for each shot, having a separate reservoir clip or other device for storing ammunition which can be loaded into the firearm, and capable of firing at the rate of five or more shots per second. The manufacture, sale, purchase, or possession of a machine gun is a Class C felony. Using a machine gun in the commission or furtherance of a felony is a Class A felony. These provisions do not apply to a person engaged in the manufacture or repair of machine guns for use by the armed forces or law enforcement, or persons engaged in the export of machine guns in compliance with federal law.

In 2018, the Legislature passed ESB 5992. The bill defined a bump-fire stock as 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. Effective July 1, 2018, it is unlawful for any person to

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manufacture or sell any bump-fire stock. Effective July 1, 2019, it is unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or have in their possession or control a bump-fire stock or to assemble or repair any bump-fire stock. All bump-fire stocks are declared to be contraband and may be seized by law enforcement whenever found. The manufacture, sale, purchase or possession of a bump-fire stock is a Class C felony and a Seriousness Level III. Using a bump-fire stock in the commission or furtherance of a felony is a Class A felony and a Seriousness Level VII. The bill required the Washington State Patrol (WSP) to establish and administer a bump-fire stock buyback program to allow a person possessing a bump-fire stock to relinquish the device in exchange for \$150. The buy-back program must operate between July 1, 2018, and June 30, 2019, in regions throughout the state. WSP and participating law enforcement agencies must establish guidelines for the destruction or other disposition of bump-fire stocks that are relinquished. The buy-back program is subject to appropriation.

Effective March 26, 2019, the U.S. Department of Justice is amending the regulations of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) to clarify that bump-stock type devices—meaning bump-fire stocks, slide-fire devices, and devices with certain similar characteristics—are machine guns as defined by the National Firearms Act of 1934 and the Gun Control Act of 1968. With limited exceptions, the federal Gun Control Act, as amended, makes it unlawful for any person to transfer or possess a machine gun unless it was lawfully possessed prior to the effective date of the statute. Under the final federal rule, current possessors of these devices will be required to destroy the devices or abandon them at an ATF office prior to the effective date of the rule.

**Summary:** Allows Washington residents the opportunity to turn in up to five bump-fire stocks for a payment before the federal law banning the possession of bump-fire stocks takes effect, or June, 30, 2019, whichever is earlier. Alternatively, Washington residents may provide the Washington State Patrol a receipt from ATF or a Washington law enforcement agency, as proof that a bump-fire stock was relinquished prior to any federal rule prohibiting possession of bump-fire stocks, and receive a financial payment.

Local law enforcement agencies are removed as participants in the program, except when a bump-fire stock is relinquished at a Washington law enforcement agency and a receipt is provided.

The bill appropriates \$150,000 in fiscal year 2019 for the program.

**Votes on Final Passage:**

Senate	49	0	
House	94	4	(House amended)
Senate	48	0	(Senate concurred)

**Effective:** March 14, 2019