

**ESSB 5078 - H AMD 1225**

By Representative Young

**NOT ADOPTED 03/04/2022**

1       On page 9, after line 7, insert "(4)(a) A person who is charged  
2 with a violation of this section may petition the court for a  
3 deferred prosecution, provided the defendant: (i) has no prior  
4 convictions for the same offense, and (ii) stipulates that he or she  
5 will not again violate the terms of RCW 9.41 pertaining to large  
6 capacity magazines for a minimum of two years.

7       (b) A person who is granted a deferred prosecution under this  
8 section and does not violate the terms of the deferred prosecution  
9 shall not be guilty of a gross misdemeanor punishable under chapter  
10 9A.20 RCW."

EFFECT: Provides a defendant charged with a criminal violation of the underlying bill's restrictions on large capacity magazines may ask the court to impose a deferred prosecution if the defendant has no previous convictions for the same offense and agrees to not violate the large capacity magazine restrictions again for a minimum of two years. Provides a defendant who is granted and complies with the terms of a deferred prosecution shall not be guilty of a gross misdemeanor.

--- END ---