
HOUSE BILL 1719

State of Washington

67th Legislature

2022 Regular Session

By Representatives Bronoske, J. Johnson, Bateman, Wicks, Callan, Goodman, Paul, Ramel, Ramos, Santos, and Simmons

Prefiled 12/30/21. Read first time 01/10/22. Referred to Committee on Public Safety.

1 AN ACT Relating to modifying the restrictions on the use and
2 acquisition of military equipment by law enforcement agencies as it
3 pertains to firearms and ammunition but only with respect to removing
4 the restriction on ammunition, narrowing the restriction on firearms
5 to include only rifles of .50 caliber or greater, and clarifying that
6 the restrictions do not apply to shotguns, devices designed or used
7 to deploy less lethal munitions, and less lethal equipment; amending
8 RCW 10.116.040; and declaring an emergency.

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

10 **Sec. 1.** RCW 10.116.040 and 2021 c 320 s 5 are each amended to
11 read as follows:

12 (1) A law enforcement agency may not acquire or use any military
13 equipment. Any law enforcement agency in possession of military
14 equipment as of July 25, 2021, shall return the equipment to the
15 federal agency from which it was acquired, if applicable, or destroy
16 the equipment by December 31, 2022.

17 (2)(a) Each law enforcement agency shall compile an inventory of
18 military equipment possessed by the agency, including the proposed
19 use of the equipment, estimated number of times the equipment has
20 been used in the prior year, and whether such use is necessary for
21 the operation and safety of the agency or some other public safety

1 purpose. The agency shall provide the inventory to the Washington
2 association of sheriffs and police chiefs no later than November 1,
3 2021.

4 (b) The Washington association of sheriffs and police chiefs
5 shall summarize the inventory information from each law enforcement
6 agency and provide a report to the governor and the appropriate
7 committees of the legislature no later than December 31, 2021.

8 (3) For the purposes of this section:

9 (a) "Military equipment" means (~~firearms and ammunition~~) rifles
10 of .50 caliber or greater, machine guns, armed helicopters, armed or
11 armored drones, armed vessels, armed vehicles, armed aircraft, tanks,
12 long range acoustic hailing devices, rockets, rocket launchers,
13 bayonets, grenades, missiles, directed energy systems, and
14 electromagnetic spectrum weapons.

15 (b) "Grenade" refers to any explosive grenade designed to injure
16 or kill subjects, such as a fragmentation grenade or antitank
17 grenade, or any incendiary grenade designed to produce intense heat
18 or fire. "Grenade" does not include other nonexplosive grenades
19 designed to temporarily incapacitate or disorient subjects without
20 causing permanent injury, such as a stun grenade, sting grenade,
21 smoke grenade, tear gas grenade, or blast ball.

22 (c) "Rifle" has the same meaning as provided under RCW 9.41.010,
23 except "rifle" does not include: Any shotgun, as defined under RCW
24 9.41.010; any device designed or used to deploy less lethal munitions
25 including, but not limited to, rubber, bean bag, soft nose, sponge,
26 or other nonpenetrating impact rounds; or any less lethal equipment.

27 (4) This section does not prohibit a law enforcement agency from
28 participating in a federal military equipment surplus program,
29 provided that any equipment acquired through the program does not
30 constitute military equipment. This may include, for example: Medical
31 supplies; hospital and health care equipment; office supplies,
32 furniture, and equipment; school supplies; warehousing equipment;
33 unarmed vehicles and vessels; conducted energy weapons; public
34 address systems; scientific equipment; and protective gear and
35 weather gear.

36 NEW SECTION. Sec. 2. This act is necessary for the immediate
37 preservation of the public peace, health, or safety, or support of

1 the state government and its existing public institutions, and takes
2 effect immediately.

--- **END** ---