

SSB 5078 - H AMD TO CRJ COMM AMD (H-1752.1/23) **630**

By Representative Walsh

NOT ADOPTED 04/10/2023

1 On page 1, beginning on line 5 of the striking amendment, after
2 "firearms" strike all material through "exacerbate" on line 7 and
3 insert "and exacerbates"

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5 On page 1, beginning on line 12 of the striking amendment, strike
6 all of subsection (2)

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8 Renumber the remaining subsections consecutively and correct any
9 internal references accordingly.

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11 On page 4, beginning on line 8 of the striking amendment, strike
12 all of subsection (3)

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14 Renumber the remaining subsections consecutively and correct any
15 internal references accordingly.

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17 On page 4, line 30 of the striking amendment, strike all of
18 subsection (7)

19
20 Renumber the remaining subsections consecutively and correct any
21 internal references accordingly.

22
23 On page 4, beginning on line 39 of the striking amendment, strike
24 all of subsection (9)

25
26 Renumber the remaining subsections consecutively and correct any
27 internal references accordingly.

1
2 On page 6, beginning on line 1 of the striking amendment, after
3 "pursuant to" strike "(a) RCW 7.48.200 and 7.48.210, to seek damages,
4 abatement, or any other remedy available for a public nuisance, or
5 (b)"

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7 On page 6, beginning on line 7 of the striking amendment, after
8 "purpose to" strike "engage in a public nuisance or otherwise"

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EFFECT: Modifies the committee striking amendment as follows:

- (1) Removes all references to nuisance from the bill's intent section.
- (2) Removes the provision of the bill prohibiting firearm industry members from knowingly creating, maintaining, or contributing to a public nuisance in this state through the sale, manufacturing, distribution, importing, or marketing of a firearm industry product.
- (3) Removes the provision of the bill providing that violations of the bill's requirements constitute a public nuisance.
- (4) Removes the provision of the bill providing firearm industry members' conduct in violation of the bill's requirements constitutes proximate cause of the public nuisance if the harm is a reasonably foreseeable effect of the conduct, notwithstanding any intervening actions, including but not limited to criminal actions by third parties.
- (5) Removes wording from one of the bill's savings clauses stating that the Attorney General's authority to investigate and bring legal actions shall not be construed or implied to deny, abrogate, limit, or impair any person's right to bring a private right of action in response to a violation pursuant to the sections of the Revised Code governing claims for public nuisance.
- (6) Removes the provision of the bill providing the party seeking relief is not required to demonstrate that the firearm industry member acted with the purpose to engage in a public nuisance.

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