

SENATE BILL REPORT

SB 5534

As Reported by Senate Committee On:
Law & Justice, February 13, 2025

Title: An act relating to spring blade knives.

Brief Description: Concerning spring blade knives.

Sponsors: Senators Fortunato and Nobles.

Brief History:

Committee Activity: Law & Justice: 2/10/25, 2/13/25 [DPS, DNP, w/oRec].

Brief Summary of First Substitute Bill

- Removes spring blade knife from the list of weapons classified as dangerous weapons under statute, and explicitly states spring blade knives are not dangerous weapons.
- Amends other statutory provisions to provide that possession of a spring blade knife in certain locations, such as schools and jails, remains unlawful.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5534 be substituted therefor, and the substitute bill do pass.

Signed by Senators Dhingra, Chair; Holy, Ranking Member; Fortunato, Lovick, Salomon, Torres and Wagoner.

Minority Report: Do not pass.

Signed by Senator Valdez.

Minority Report: That it be referred without recommendation.

Signed by Senator Trudeau, Vice Chair.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Staff: Joe McKittrick (786-7287)

Background: "Spring blade knife" means any knife, including a prototype model, or other sample, with a blade that is automatically released by a spring mechanism or other mechanical device, or any knife having a blade which opens, or falls, or is ejected into position by the force of gravity, or by an outward, downward, or centrifugal thrust or movement. A knife that contains a spring, detent, or other mechanism designed to create a bias toward closure of the blade and that requires physical exertion applied to the blade by hand, wrists, or arm to overcome the bias toward closure to assist in opening the knife is not a spring blade knife.

Dangerous Weapons. Spring blade knives are considered dangerous weapons under the dangerous weapons statute, which generally prohibits, and makes a gross misdemeanor:

- the possession of slung shots, sand clubs, metal knuckles, or spring blade knives;
- the furtive carrying, with intent to conceal, any dagger, dirk, pistol, or other dangerous weapon; and
- the use of any device for suppressing the noise of a firearm.

The prohibitions against possessing a spring blade knife do not apply to general authority law enforcement officers, firefighters or rescue members, Washington State Patrol officers, or military members while:

- on official duty;
- transporting a spring blade knife to or from the place where the knife is stored when the officer or member is not on official duty; or
- storing a spring blade knife.

The manufacture, sale, transport, transfer, distribution, or possession of a spring blade knife pursuant to a contract with a general authority law enforcement agency, firearm or rescue agency, Washington State Patrol, or military service, or pursuant to a contract with another manufacturer or commercial distributor of knives for use, sale, or other disposition by the manufacturer or distributor is permitted.

The manufacture, sale, transport, transfer, distribution, or possession of a spring blade knife solely for trial, test or other provisional use for evaluation and assessment purposes by a general authority law enforcement agency, fire or rescue agency, Washington State Patrol, military service, or a manufacturer or commercial distributor of knives is also permitted.

Weapons Prohibited in Certain Locations. It is a gross misdemeanor for a person to knowingly possess, or have under the person's control, a weapon, including spring blade knives, while on the premises of:

- the restricted access areas of jails and law enforcement facilities;
- areas of any building used in connection with court proceedings;
- the restricted access areas of public mental health facilities;
- establishments off-limits to persons under the age of 21;

- the restricted access areas of commercial service airports;
- libraries;
- zoos or aquariums; or
- certain transit facilities.

It is a gross misdemeanor for a person to knowingly possess weapons, which includes spring blade knives, on public or private elementary or secondary school premises, school-provided transportation, or areas of facilities that are being used exclusively by public or private schools. This does not apply to law enforcement, security or military personnel, persons involved in firearm or martial arts events or training, persons with concealed pistol licenses who are picking up or dropping off students, and nonstudents 18 years old or older in lawful possession of a weapon that is secured in a vehicle.

Child Day-Care Centers and Early Childhood Education and Assistance Programs. Family day care centers and Early Childhood Education and Assistance Program providers must store any firearm, ammunition or other dangerous weapons in a secure area when children for whom the family day care provider is licensed to provide care are present on the premises. The storage area must be inaccessible to children and must consist of a locked gun safe or locked room.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (First Substitute): Spring blade knives are removed from the list of weapons classified as dangerous weapons under statute. The definition of spring blade knife remains codified in statute; however, it is expressly provided that a spring blade knife is not a dangerous weapon.

Other sections of the chapter pertaining to firearms and dangerous weapons are amended to provide that:

- it remains unlawful for a person to carry a spring blade knife onto, or possess a spring blade knife on school premises, school-provided transportation, or areas of facilities that are being used exclusively by schools;
- spring blade knives are explicitly included in the definition of weapon related to the unlawful possession of weapons at certain locations; and
- spring blade knives are explicitly included as items family day care providers must securely store when children are present on the premises.

The statute providing exceptions and exemptions for certain law enforcement personnel and military members, and which permits certain contracts, trials, and testing of spring blade knives is repealed.

Appropriation: None.

Fiscal Note: Requested on February 7, 2025.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on July 1, 2025.

Staff Summary of Public Testimony on First Substitute: PRO: This bill has passed the Senate almost unanimously a number of times. Individuals with disabilities and those who need these knives to do their jobs frequently need knives that are currently classified as spring blade knives but cannot access them because of the law. This bill helps bring our laws into the twenty-first century. These types of knives were banned in the 1950's in a reaction to a hyperbolic press and depictions in popular media. How a knife opens has never been a factor in whether it is used to commit a crime. The laws this bill seeks to change disproportionately affect minority communities. The people who use these knives shouldn't be worried about violating the law simply by having a necessary tool. Washington is the last western state with a complete ban on this class of knife. Washington currently has only one knife manufacturer that makes folding knives because the law prevents those manufacturers from selling their knives to Washington citizens. With the current laws, these companies cannot sell the type of knives people want to buy. Allowing these companies to sell their knives to Washington citizens will allow them to continue to stay in Washington. This class of knife is vital for the disabled community to do simple things such as open boxes. Individuals with hand trauma cannot operate manual folding knives, and this bill will allow those people to use a vital tool without fear of becoming a criminal.

Persons Testifying: PRO: Senator Phil Fortunato, Prime Sponsor; Jeff Pack, Me; Todd Rathner, Knife Rights; Mike Vellekamp, V Nives.

Persons Signed In To Testify But Not Testifying: No one.