

ESHB 2320 - S COMM AMD
By Committee on Law & Justice

ADOPTED AND ENGROSSED 02/28/2026

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds the production of
4 undetectable and untraceable firearms and firearm components through
5 three-dimensional printing and computer numerical control (CNC)
6 milling presents a growing threat to public safety. The legislature
7 further finds the production of firearms by unlicensed manufacturers
8 allows prohibited individuals to evade background checks and obtain
9 firearms they could not otherwise lawfully obtain. The legislature
10 intends to address these problems by strengthening the state's
11 existing firearms laws.

12 **Sec. 2.** RCW 9.41.010 and 2024 c 289 s 1 and 2024 c 62 s 32 are
13 each reenacted and amended to read as follows:

14 Unless the context clearly requires otherwise, the definitions in
15 this section apply throughout this chapter.

16 (1) "Antique firearm" means a firearm or replica of a firearm not
17 designed or redesigned for using rim fire or conventional center fire
18 ignition with fixed ammunition and manufactured in or before 1898,
19 including any matchlock, flintlock, percussion cap, or similar type
20 of ignition system and also any firearm using fixed ammunition
21 manufactured in or before 1898, for which ammunition is no longer
22 manufactured in the United States and is not readily available in the
23 ordinary channels of commercial trade.

24 (2) (a) "Assault weapon" means:

25 (i) Any of the following specific firearms regardless of which
26 company produced and manufactured the firearm:

AK-47 in all forms
AK-74 in all forms
Algimec AGM-1 type semiautomatic
American Arms Spectre da semiautomatic carbine

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1	AR15, M16, or M4 in all forms
2	AR 180 type semiautomatic
3	Argentine L.S.R. semiautomatic
4	Australian Automatic
5	Auto-Ordnance Thompson M1 and 1927 semiautomatics
6	Barrett .50 cal light semiautomatic
7	Barrett .50 cal M87
8	Barrett .50 cal M107A1
9	Barrett REC7
10	Beretta AR70/S70 type semiautomatic
11	Bushmaster Carbon 15
12	Bushmaster ACR
13	Bushmaster XM-15
14	Bushmaster MOE
15	Calico models M100 and M900
16	CETME Sporter
17	CIS SR 88 type semiautomatic
18	Colt CAR 15
19	Daewoo K-1
20	Daewoo K-2
21	Dragunov semiautomatic
22	Fabrique Nationale FAL in all forms
23	Fabrique Nationale F2000
24	Fabrique Nationale L1A1 Sporter
25	Fabrique Nationale M249S
26	Fabrique Nationale PS90
27	Fabrique Nationale SCAR
28	FAMAS .223 semiautomatic
29	Galil
30	Heckler & Koch G3 in all forms
31	Heckler & Koch HK-41/91
32	Heckler & Koch HK-43/93

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Heckler & Koch HK94A2/3
Heckler & Koch MP-5 in all forms
Heckler & Koch PSG-1
Heckler & Koch SL8
Heckler & Koch UMP
Manchester Arms Commando MK-45
Manchester Arms MK-9
SAR-4800
SIG AMT SG510 in all forms
SIG SG550 in all forms
SKS
Spectre M4
Springfield Armory BM-59
Springfield Armory G3
Springfield Armory SAR-8
Springfield Armory SAR-48
Springfield Armory SAR-3
Springfield Armory M-21 sniper
Springfield Armory M1A
Smith & Wesson M&P 15
Sterling Mk 1
Sterling Mk 6/7
Steyr AUG
TNW M230
FAMAS F11
Uzi 9mm carbine/rifle

27 (ii) A semiautomatic rifle that has an overall length of less
28 than 30 inches;
29 (iii) A conversion kit, part, or combination of parts, from which
30 an assault weapon can be assembled or from which a firearm can be
31 converted into an assault weapon if those parts are in the possession
32 or under the control of the same person; or

- 1 (iv) A semiautomatic, center fire rifle that has the capacity to
2 accept a detachable magazine and has one or more of the following:
- 3 (A) A grip that is independent or detached from the stock that
4 protrudes conspicuously beneath the action of the weapon. The
5 addition of a fin attaching the grip to the stock does not exempt the
6 grip if it otherwise resembles the grip found on a pistol;
- 7 (B) Thumbhole stock;
- 8 (C) Folding or telescoping stock;
- 9 (D) Forward pistol, vertical, angled, or other grip designed for
10 use by the nonfiring hand to improve control;
- 11 (E) Flash suppressor, flash guard, flash eliminator, flash hider,
12 sound suppressor, silencer, or any item designed to reduce the visual
13 or audio signature of the firearm;
- 14 (F) Muzzle brake, recoil compensator, or any item designed to be
15 affixed to the barrel to reduce recoil or muzzle rise;
- 16 (G) Threaded barrel designed to attach a flash suppressor, sound
17 suppressor, muzzle break, or similar item;
- 18 (H) Grenade launcher or flare launcher; or
- 19 (I) A shroud that encircles either all or part of the barrel
20 designed to shield the bearer's hand from heat, except a solid
21 forearm of a stock that covers only the bottom of the barrel;
- 22 (v) A semiautomatic, center fire rifle that has a fixed magazine
23 with the capacity to accept more than 10 rounds;
- 24 (vi) A semiautomatic pistol that has the capacity to accept a
25 detachable magazine and has one or more of the following:
- 26 (A) A threaded barrel, capable of accepting a flash suppressor,
27 forward handgrip, or silencer;
- 28 (B) A second hand grip;
- 29 (C) A shroud that encircles either all or part of the barrel
30 designed to shield the bearer's hand from heat, except a solid
31 forearm of a stock that covers only the bottom of the barrel; or
- 32 (D) The capacity to accept a detachable magazine at some location
33 outside of the pistol grip;
- 34 (vii) A semiautomatic shotgun that has any of the following:
- 35 (A) A folding or telescoping stock;
- 36 (B) A grip that is independent or detached from the stock that
37 protrudes conspicuously beneath the action of the weapon. The
38 addition of a fin attaching the grip to the stock does not exempt the
39 grip if it otherwise resembles the grip found on a pistol;
- 40 (C) A thumbhole stock;

1 (D) A forward pistol, vertical, angled, or other grip designed
2 for use by the nonfiring hand to improve control;

3 (E) A fixed magazine in excess of seven rounds; or

4 (F) A revolving cylinder shotgun.

5 (b) For the purposes of this subsection, "fixed magazine" means
6 an ammunition feeding device contained in, or permanently attached
7 to, a firearm in such a manner that the device cannot be removed
8 without disassembly of the firearm action.

9 (c) "Assault weapon" does not include antique firearms, any
10 firearm that has been made permanently inoperable, or any firearm
11 that is manually operated by bolt, pump, lever, or slide action.

12 (3) "Assemble" means to fit together component parts.

13 (4) "Barrel length" means the distance from the bolt face of a
14 closed action down the length of the axis of the bore to the crown of
15 the muzzle, or in the case of a barrel with attachments to the end of
16 any legal device permanently attached to the end of the muzzle.

17 (5) "Bump-fire stock" means a butt stock designed to be attached
18 to a semiautomatic firearm with the effect of increasing the rate of
19 fire achievable with the semiautomatic firearm to that of a fully
20 automatic firearm by using the energy from the recoil of the firearm
21 to generate reciprocating action that facilitates repeated activation
22 of the trigger.

23 (6) "Conviction" or "convicted" means, whether in an adult court
24 or adjudicated in a juvenile court, that a plea of guilty has been
25 accepted or a verdict of guilty has been filed, or a finding of guilt
26 has been entered, notwithstanding the pendency of any future
27 proceedings including, but not limited to, sentencing or disposition,
28 posttrial or post-fact-finding motions, and appeals. "Conviction"
29 includes a dismissal entered after a period of probation, suspension,
30 or deferral of sentence, and also includes equivalent dispositions by
31 courts in jurisdictions other than Washington state.

32 (7) "Crime of violence" means:

33 (a) Any of the following felonies, as now existing or hereafter
34 amended: Any felony defined under any law as a class A felony or an
35 attempt to commit a class A felony, criminal solicitation of or
36 criminal conspiracy to commit a class A felony, manslaughter in the
37 first degree, manslaughter in the second degree, indecent liberties
38 if committed by forcible compulsion, kidnapping in the second degree,
39 arson in the second degree, assault in the second degree, assault of
40 a child in the second degree, extortion in the first degree, burglary

1 in the second degree, residential burglary, and robbery in the second
2 degree;

3 (b) Any conviction for a felony offense in effect at any time
4 prior to June 6, 1996, which is comparable to a felony classified as
5 a crime of violence in (a) of this subsection; and

6 (c) Any federal or out-of-state conviction for an offense
7 comparable to a felony classified as a crime of violence under (a) or
8 (b) of this subsection.

9 (8) "Curio or relic" has the same meaning as provided in 27
10 C.F.R. Sec. 478.11.

11 (9) "Dealer" means a person engaged in the business of selling
12 firearms at wholesale or retail who has, or is required to have, a
13 federal firearms license under 18 U.S.C. Sec. 923(a). A person who
14 does not have, and is not required to have, a federal firearms
15 license under 18 U.S.C. Sec. 923(a), is not a dealer if that person
16 makes only occasional sales, exchanges, or purchases of firearms for
17 the enhancement of a personal collection or for a hobby, or sells all
18 or part of his or her personal collection of firearms.

19 (10) "Detachable magazine" means an ammunition feeding device
20 that can be loaded or unloaded while detached from a firearm and
21 readily inserted into a firearm.

22 (11) "Digital firearm manufacturing code" means any digital
23 instructions in the form of computer-aided design files or other code
24 or instructions stored and displayed in electronic format as a
25 digital model that may be used to program a three-dimensional printer
26 or a computer numerical control (CNC) milling machine to manufacture
27 or produce a firearm, frame or receiver, unfinished frame or
28 receiver, magazine, or unlawful firearm part as identified in RCW
29 9.41.220.

30 (12) "Distribute" means to give out, provide, make available, or
31 deliver a firearm or large capacity magazine to any person in this
32 state, with or without consideration, whether the distributor is in-
33 state or out-of-state. "Distribute" includes, but is not limited to,
34 filling orders placed in this state, online or otherwise.
35 "Distribute" also includes causing a firearm or large capacity
36 magazine to be delivered in this state.

37 (~~(12)~~) (13) "Domestic violence" has the same meaning as
38 provided in RCW 10.99.020.

39 (~~(13)~~) (14) "Family or household member" has the same meaning
40 as in RCW 7.105.010.

1 (~~(14)~~) (15) "Federal firearms dealer" means a licensed dealer
2 as defined in 18 U.S.C. Sec. 921(a)(11).

3 (~~(15)~~) (16) "Federal firearms importer" means a licensed
4 importer as defined in 18 U.S.C. Sec. 921(a)(9).

5 (~~(16)~~) (17) "Federal firearms manufacturer" means a licensed
6 manufacturer as defined in 18 U.S.C. Sec. 921(a)(10).

7 (~~(17)~~) (18) "Felony" means any felony offense under the laws of
8 this state or any federal or out-of-state offense comparable to a
9 felony offense under the laws of this state.

10 (~~(18)~~) (19) "Felony firearm offender" means a person who has
11 previously been convicted or found not guilty by reason of insanity
12 in this state of any felony firearm offense. A person is not a felony
13 firearm offender under this chapter if any and all qualifying
14 offenses have been the subject of an expungement, pardon, annulment,
15 certificate, or rehabilitation, or other equivalent procedure based
16 on a finding of the rehabilitation of the person convicted or a
17 pardon, annulment, or other equivalent procedure based on a finding
18 of innocence.

19 (~~(19)~~) (20) "Felony firearm offense" means:
20 (a) Any felony offense that is a violation of this chapter;
21 (b) A violation of RCW 9A.36.045;
22 (c) A violation of RCW 9A.56.300;
23 (d) A violation of RCW 9A.56.310;
24 (e) Any felony offense if the offender was armed with a firearm
25 in the commission of the offense.

26 (~~(20)~~) (21) "Firearm" means a weapon or device from which a
27 projectile or projectiles may be fired by an explosive such as
28 gunpowder. For the purposes of RCW 9.41.040, "firearm" also includes
29 frames and receivers. "Firearm" does not include a flare gun or other
30 pyrotechnic visual distress signaling device, or a powder-actuated
31 tool or other device designed solely to be used for construction
32 purposes.

33 (~~(21)~~) (22)(a) "Frame or receiver" means a part of a firearm
34 that, when the complete firearm is assembled, is visible from the
35 exterior and provides housing or a structure designed to hold or
36 integrate one or more fire control components, even if pins or other
37 attachments are required to connect the fire control components. Any
38 such part identified with a serial number shall be presumed, absent
39 an official determination by the bureau of alcohol, tobacco,

1 firearms, and explosives or other reliable evidence to the contrary,
2 to be a frame or receiver.

3 (b) For purposes of this subsection, "fire control component"
4 means a component necessary for the firearm to initiate, complete, or
5 continue the firing sequence, including any of the following: Hammer,
6 bolt, bolt carrier, breechblock, cylinder, trigger mechanism, firing
7 pin, striker, or slide rails.

8 ~~((22))~~ (23) "Gun" has the same meaning as firearm.

9 ~~((23))~~ (24) "Import" means to move, transport, or receive an
10 item from a place outside the territorial limits of the state of
11 Washington to a place inside the territorial limits of the state of
12 Washington. "Import" does not mean situations where an individual
13 possesses a large capacity magazine or assault weapon when departing
14 from, and returning to, Washington state, so long as the individual
15 is returning to Washington in possession of the same large capacity
16 magazine or assault weapon the individual transported out of state.

17 ~~((24))~~ (25) "Intimate partner" has the same meaning as provided
18 in RCW 7.105.010.

19 ~~((25))~~ (26) "Large capacity magazine" means an ammunition
20 feeding device with the capacity to accept more than 10 rounds of
21 ammunition, or any conversion kit, part, or combination of parts,
22 from which such a device can be assembled if those parts are in
23 possession of or under the control of the same person, but shall not
24 be construed to include any of the following:

25 (a) An ammunition feeding device that has been permanently
26 altered so that it cannot accommodate more than 10 rounds of
27 ammunition;

28 (b) A 22 caliber tube ammunition feeding device; or

29 (c) A tubular magazine that is contained in a lever-action
30 firearm.

31 ~~((26))~~ (27) "Law enforcement officer" includes a general
32 authority Washington peace officer as defined in RCW 10.93.020, or a
33 specially commissioned Washington peace officer as defined in RCW
34 10.93.020. "Law enforcement officer" also includes a limited
35 authority Washington peace officer as defined in RCW 10.93.020 if
36 such officer is duly authorized by his or her employer to carry a
37 concealed pistol.

38 ~~((27))~~ (28) "Lawful permanent resident" has the same meaning
39 afforded a person "lawfully admitted for permanent residence" in 8
40 U.S.C. Sec. 1101(a)(20).

1 ~~((28))~~ (29) "Licensed collector" means a person who is
2 federally licensed under 18 U.S.C. Sec. 923(b).

3 ~~((29))~~ (30) "Licensed dealer" means a person who is federally
4 licensed under 18 U.S.C. Sec. 923(a).

5 ~~((30))~~ (31) "Loaded" means:

6 (a) There is a cartridge in the chamber of the firearm;

7 (b) Cartridges are in a clip that is locked in place in the
8 firearm;

9 (c) There is a cartridge in the cylinder of the firearm, if the
10 firearm is a revolver;

11 (d) There is a cartridge in the tube or magazine that is inserted
12 in the action; or

13 (e) There is a ball in the barrel and the firearm is capped or
14 primed if the firearm is a muzzle loader.

15 ~~((31))~~ (32) "Machine gun" means any firearm known as a machine
16 gun, mechanical rifle, submachine gun, or any other mechanism or
17 instrument not requiring that the trigger be pressed for each shot
18 and having a reservoir clip, disc, drum, belt, or other separable
19 mechanical device for storing, carrying, or supplying ammunition
20 which can be loaded into the firearm, mechanism, or instrument, and
21 fired therefrom at the rate of five or more shots per second.

22 ~~((32))~~ (33) "Manufacture" means, with respect to a firearm or
23 large capacity magazine, the fabrication, making, formation,
24 production, or construction of a firearm or large capacity magazine,
25 by manual labor or by machinery.

26 ~~((33))~~ (34) "Mental health professional" means a psychiatrist,
27 psychologist, or physician assistant working with a psychiatrist who
28 is acting as a participating physician as defined in RCW 18.71A.010,
29 psychiatric advanced registered nurse practitioner, psychiatric
30 nurse, social worker, mental health counselor, marriage and family
31 therapist, or such other mental health professionals as may be
32 defined in statute or by rules adopted by the department of health
33 pursuant to the provisions of chapter 71.05 RCW.

34 ~~((34))~~ (35) "Nonimmigrant alien" means a person defined as such
35 in 8 U.S.C. Sec. 1101(a) (15).

36 ~~((35))~~ (36) "Person" means any individual, corporation,
37 company, association, firm, partnership, club, organization, society,
38 joint stock company, or other legal entity.

1 (~~(36)~~) (37) "Pistol" means any firearm with a barrel less than
2 16 inches in length, or is designed to be held and fired by the use
3 of a single hand.

4 (~~(37)~~) (38) "Rifle" means a weapon designed or redesigned, made
5 or remade, and intended to be fired from the shoulder and designed or
6 redesigned, made or remade, and intended to use the energy of the
7 explosive in a fixed metallic cartridge to fire only a single
8 projectile through a rifled bore for each single pull of the trigger.

9 (~~(38)~~) (39) "Sale" and "sell" mean the actual approval of the
10 delivery of a firearm in consideration of payment or promise of
11 payment.

12 (~~(39)~~) (40) "Secure gun storage" means:

13 (a) A locked box, gun safe, or other secure locked storage space
14 that is designed to prevent unauthorized use or discharge of a
15 firearm; and

16 (b) The act of keeping an unloaded firearm stored by such means.

17 (~~(40)~~) (41) "Semiautomatic" means any firearm which utilizes a
18 portion of the energy of a firing cartridge to extract the fired
19 cartridge case and chamber the next round, and which requires a
20 separate pull of the trigger to fire each cartridge.

21 (~~(41)~~) (42) (a) "Semiautomatic assault rifle" means any rifle
22 which utilizes a portion of the energy of a firing cartridge to
23 extract the fired cartridge case and chamber the next round, and
24 which requires a separate pull of the trigger to fire each cartridge.

25 (b) "Semiautomatic assault rifle" does not include antique
26 firearms, any firearm that has been made permanently inoperable, or
27 any firearm that is manually operated by bolt, pump, lever, or slide
28 action.

29 (~~(42)~~) (43) "Serious offense" means any of the following
30 felonies or a felony attempt to commit any of the following felonies,
31 as now existing or hereafter amended:

32 (a) Any crime of violence;

33 (b) Any felony violation of the uniform controlled substances
34 act, chapter 69.50 RCW, that is classified as a class B felony or
35 that has a maximum term of imprisonment of at least 10 years;

36 (c) Child molestation in the second degree;

37 (d) Incest when committed against a child under age 14;

38 (e) Indecent liberties;

39 (f) Leading organized crime;

40 (g) Promoting prostitution in the first degree;

1 (h) Rape in the third degree;
2 (i) Drive-by shooting;
3 (j) Sexual exploitation;
4 (k) Vehicular assault, when caused by the operation or driving of
5 a vehicle by a person while under the influence of intoxicating
6 liquor or any drug or by the operation or driving of a vehicle in a
7 reckless manner;
8 (l) Vehicular homicide, when proximately caused by the driving of
9 any vehicle by any person while under the influence of intoxicating
10 liquor or any drug as defined by RCW 46.61.502, or by the operation
11 of any vehicle in a reckless manner;
12 (m) Any other class B felony offense with a finding of sexual
13 motivation, as "sexual motivation" is defined under RCW 9.94A.030;
14 (n) Any other felony with a deadly weapon verdict under RCW
15 9.94A.825;
16 (o) Any felony offense in effect at any time prior to June 6,
17 1996, that is comparable to a serious offense, or any federal or out-
18 of-state conviction for an offense that under the laws of this state
19 would be a felony classified as a serious offense;
20 (p) Any felony conviction under RCW 9.41.115; or
21 (q) Any felony charged under RCW 46.61.502(6) or 46.61.504(6).
22 ~~((43))~~ (44) "Sex offense" has the same meaning as provided in
23 RCW 9.94A.030.
24 ~~((44))~~ (45) "Short-barreled rifle" means a rifle having one or
25 more barrels less than 16 inches in length and any weapon made from a
26 rifle by any means of modification if such modified weapon has an
27 overall length of less than 26 inches.
28 ~~((45))~~ (46) "Short-barreled shotgun" means a shotgun having one
29 or more barrels less than 18 inches in length and any weapon made
30 from a shotgun by any means of modification if such modified weapon
31 has an overall length of less than 26 inches.
32 ~~((46))~~ (47) "Shotgun" means a weapon with one or more barrels,
33 designed or redesigned, made or remade, and intended to be fired from
34 the shoulder and designed or redesigned, made or remade, and intended
35 to use the energy of the explosive in a fixed shotgun shell to fire
36 through a smooth bore either a number of ball shot or a single
37 projectile for each single pull of the trigger.
38 ~~((47))~~ (48) "Substance use disorder professional" means a
39 person certified under chapter 18.205 RCW.

1 ~~((48))~~ (49) "Three-dimensional printer" means a computer-aided
2 manufacturing device capable of producing a three-dimensional object
3 from a three-dimensional digital model through an additive
4 manufacturing process that involves the layering of two-dimensional
5 cross sections formed of a resin or other material that are fused
6 together to form a three-dimensional object.

7 (50) "Transfer" means the intended delivery of a firearm to
8 another person without consideration of payment or promise of payment
9 including, but not limited to, gifts and loans. "Transfer" does not
10 include the delivery of a firearm owned or leased by an entity
11 licensed or qualified to do business in the state of Washington to,
12 or return of such a firearm by, any of that entity's employees or
13 agents, defined to include volunteers participating in an honor
14 guard, for lawful purposes in the ordinary course of business.

15 ~~((49))~~ (51) "Undetectable firearm" means any firearm that is
16 not as detectable as 3.7 ounces of 17-4 PH stainless steel by walk-
17 through metal detectors or magnetometers commonly used at airports or
18 any firearm where the barrel, the slide or cylinder, or the frame or
19 receiver of the firearm would not generate an image that accurately
20 depicts the shape of the part when examined by the types of X-ray
21 machines commonly used at airports.

22 ~~((50))~~ (52)(a) "Unfinished frame or receiver" means a frame or
23 receiver that is partially complete, disassembled, or inoperable,
24 that: (i) Has reached a stage in manufacture where it may readily be
25 completed, assembled, converted, or restored to a functional state;
26 or (ii) is marketed or sold to the public to become or be used as the
27 frame or receiver of a functional firearm once finished or completed,
28 including without limitation products marketed or sold to the public
29 as an 80 percent frame or receiver or unfinished frame or receiver.

30 (b) For purposes of this subsection:

31 (i) "Readily" means a process that is fairly or reasonably
32 efficient, quick, and easy, but not necessarily the most efficient,
33 speedy, or easy process. Factors relevant in making this
34 determination, with no single one controlling, include the following:
35 (A) Time, i.e., how long it takes to finish the process; (B) ease,
36 i.e., how difficult it is to do so; (C) expertise, i.e., what
37 knowledge and skills are required; (D) equipment, i.e., what tools
38 are required; (E) availability, i.e., whether additional parts are
39 required, and how easily they can be obtained; (F) expense, i.e., how
40 much it costs; (G) scope, i.e., the extent to which the subject of

1 the process must be changed to finish it; and (H) feasibility, i.e.,
2 whether the process would damage or destroy the subject of the
3 process, or cause it to malfunction.

4 (ii) "Partially complete," as it modifies frame or receiver,
5 means a forging, casting, printing, extrusion, machined body, or
6 similar article that has reached a stage in manufacture where it is
7 clearly identifiable as an unfinished component part of a firearm.

8 (~~(51)~~) (53) "Unlicensed person" means any person who is not a
9 licensed dealer under this chapter.

10 (~~(52)~~) (54) "Untraceable firearm" means any firearm
11 manufactured after July 1, 2019, that is not an antique firearm and
12 that cannot be traced by law enforcement by means of a serial number
13 affixed to the firearm by a federal firearms manufacturer, federal
14 firearms importer, or federal firearms dealer in compliance with all
15 federal laws and regulations.

16 (~~(53)~~) (55) "Washington state patrol firearms background check
17 program" means the division within the state patrol that conducts
18 background checks for all firearm transfers and the disposition of
19 firearms.

20 **Sec. 3.** RCW 9.41.010 and 2025 c 58 s 5064 are each amended to
21 read as follows:

22 Unless the context clearly requires otherwise, the definitions in
23 this section apply throughout this chapter.

24 (1) "Antique firearm" means a firearm or replica of a firearm not
25 designed or redesigned for using rim fire or conventional center fire
26 ignition with fixed ammunition and manufactured in or before 1898,
27 including any matchlock, flintlock, percussion cap, or similar type
28 of ignition system and also any firearm using fixed ammunition
29 manufactured in or before 1898, for which ammunition is no longer
30 manufactured in the United States and is not readily available in the
31 ordinary channels of commercial trade.

32 (2) (a) "Assault weapon" means:

33 (i) Any of the following specific firearms regardless of which
34 company produced and manufactured the firearm:

AK-47 in all forms
AK-74 in all forms
Algimec AGM-1 type semiautomatic

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1	American Arms Spectre da semiautomatic carbine
2	AR15, M16, or M4 in all forms
3	AR 180 type semiautomatic
4	Argentine L.S.R. semiautomatic
5	Australian Automatic
6	Auto-Ordnance Thompson M1 and 1927 semiautomatics
7	Barrett .50 cal light semiautomatic
8	Barrett .50 cal M87
9	Barrett .50 cal M107A1
10	Barrett REC7
11	Beretta AR70/S70 type semiautomatic
12	Bushmaster Carbon 15
13	Bushmaster ACR
14	Bushmaster XM-15
15	Bushmaster MOE
16	Calico models M100 and M900
17	CETME Sporter
18	CIS SR 88 type semiautomatic
19	Colt CAR 15
20	Daewoo K-1
21	Daewoo K-2
22	Dragunov semiautomatic
23	Fabrique Nationale FAL in all forms
24	Fabrique Nationale F2000
25	Fabrique Nationale L1A1 Sporter
26	Fabrique Nationale M249S
27	Fabrique Nationale PS90
28	Fabrique Nationale SCAR
29	FAMAS .223 semiautomatic
30	Galil
31	Heckler & Koch G3 in all forms
32	Heckler & Koch HK-41/91

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Heckler & Koch HK-43/93
Heckler & Koch HK94A2/3
Heckler & Koch MP-5 in all forms
Heckler & Koch PSG-1
Heckler & Koch SL8
Heckler & Koch UMP
Manchester Arms Commando MK-45
Manchester Arms MK-9
SAR-4800
SIG AMT SG510 in all forms
SIG SG550 in all forms
SKS
Spectre M4
Springfield Armory BM-59
Springfield Armory G3
Springfield Armory SAR-8
Springfield Armory SAR-48
Springfield Armory SAR-3
Springfield Armory M-21 sniper
Springfield Armory M1A
Smith & Wesson M&P 15
Sterling Mk 1
Sterling Mk 6/7
Steyr AUG
TNW M230
FAMAS F11
Uzi 9mm carbine/rifle

28 (ii) A semiautomatic rifle that has an overall length of less
29 than 30 inches;

30 (iii) A conversion kit, part, or combination of parts, from which
31 an assault weapon can be assembled or from which a firearm can be
32 converted into an assault weapon if those parts are in the possession
33 or under the control of the same person; or

1 (iv) A semiautomatic, center fire rifle that has the capacity to
2 accept a detachable magazine and has one or more of the following:
3 (A) A grip that is independent or detached from the stock that
4 protrudes conspicuously beneath the action of the weapon. The
5 addition of a fin attaching the grip to the stock does not exempt the
6 grip if it otherwise resembles the grip found on a pistol;
7 (B) Thumbhole stock;
8 (C) Folding or telescoping stock;
9 (D) Forward pistol, vertical, angled, or other grip designed for
10 use by the nonfiring hand to improve control;
11 (E) Flash suppressor, flash guard, flash eliminator, flash hider,
12 sound suppressor, silencer, or any item designed to reduce the visual
13 or audio signature of the firearm;
14 (F) Muzzle brake, recoil compensator, or any item designed to be
15 affixed to the barrel to reduce recoil or muzzle rise;
16 (G) Threaded barrel designed to attach a flash suppressor, sound
17 suppressor, muzzle break, or similar item;
18 (H) Grenade launcher or flare launcher; or
19 (I) A shroud that encircles either all or part of the barrel
20 designed to shield the bearer's hand from heat, except a solid
21 forearm of a stock that covers only the bottom of the barrel;
22 (v) A semiautomatic, center fire rifle that has a fixed magazine
23 with the capacity to accept more than 10 rounds;
24 (vi) A semiautomatic pistol that has the capacity to accept a
25 detachable magazine and has one or more of the following:
26 (A) A threaded barrel, capable of accepting a flash suppressor,
27 forward handgrip, or silencer;
28 (B) A second hand grip;
29 (C) A shroud that encircles either all or part of the barrel
30 designed to shield the bearer's hand from heat, except a solid
31 forearm of a stock that covers only the bottom of the barrel; or
32 (D) The capacity to accept a detachable magazine at some location
33 outside of the pistol grip;
34 (vii) A semiautomatic shotgun that has any of the following:
35 (A) A folding or telescoping stock;
36 (B) A grip that is independent or detached from the stock that
37 protrudes conspicuously beneath the action of the weapon. The
38 addition of a fin attaching the grip to the stock does not exempt the
39 grip if it otherwise resembles the grip found on a pistol;
40 (C) A thumbhole stock;

1 (D) A forward pistol, vertical, angled, or other grip designed
2 for use by the nonfiring hand to improve control;

3 (E) A fixed magazine in excess of seven rounds; or

4 (F) A revolving cylinder shotgun.

5 (b) For the purposes of this subsection, "fixed magazine" means
6 an ammunition feeding device contained in, or permanently attached
7 to, a firearm in such a manner that the device cannot be removed
8 without disassembly of the firearm action.

9 (c) "Assault weapon" does not include antique firearms, any
10 firearm that has been made permanently inoperable, or any firearm
11 that is manually operated by bolt, pump, lever, or slide action.

12 (3) "Assemble" means to fit together component parts.

13 (4) "Barrel length" means the distance from the bolt face of a
14 closed action down the length of the axis of the bore to the crown of
15 the muzzle, or in the case of a barrel with attachments to the end of
16 any legal device permanently attached to the end of the muzzle.

17 (5) "Bump-fire stock" means a butt stock designed to be attached
18 to a semiautomatic firearm with the effect of increasing the rate of
19 fire achievable with the semiautomatic firearm to that of a fully
20 automatic firearm by using the energy from the recoil of the firearm
21 to generate reciprocating action that facilitates repeated activation
22 of the trigger.

23 (6) "Conviction" or "convicted" means, whether in an adult court
24 or adjudicated in a juvenile court, that a plea of guilty has been
25 accepted or a verdict of guilty has been filed, or a finding of guilt
26 has been entered, notwithstanding the pendency of any future
27 proceedings including, but not limited to, sentencing or disposition,
28 posttrial or post-fact-finding motions, and appeals. "Conviction"
29 includes a dismissal entered after a period of probation, suspension,
30 or deferral of sentence, and also includes equivalent dispositions by
31 courts in jurisdictions other than Washington state.

32 (7) "Crime of violence" means:

33 (a) Any of the following felonies, as now existing or hereafter
34 amended: Any felony defined under any law as a class A felony or an
35 attempt to commit a class A felony, criminal solicitation of or
36 criminal conspiracy to commit a class A felony, manslaughter in the
37 first degree, manslaughter in the second degree, indecent liberties
38 if committed by forcible compulsion, kidnapping in the second degree,
39 arson in the second degree, assault in the second degree, assault of
40 a child in the second degree, extortion in the first degree, burglary

1 in the second degree, residential burglary, and robbery in the second
2 degree;

3 (b) Any conviction for a felony offense in effect at any time
4 prior to June 6, 1996, which is comparable to a felony classified as
5 a crime of violence in (a) of this subsection; and

6 (c) Any federal or out-of-state conviction for an offense
7 comparable to a felony classified as a crime of violence under (a) or
8 (b) of this subsection.

9 (8) "Curio or relic" has the same meaning as provided in 27
10 C.F.R. Sec. 478.11.

11 (9) "Dealer" means a person engaged in the business of selling
12 firearms at wholesale or retail who has, or is required to have, a
13 federal firearms license under 18 U.S.C. Sec. 923(a). A person who
14 does not have, and is not required to have, a federal firearms
15 license under 18 U.S.C. Sec. 923(a), is not a dealer if that person
16 makes only occasional sales, exchanges, or purchases of firearms for
17 the enhancement of a personal collection or for a hobby, or sells all
18 or part of his or her personal collection of firearms.

19 (10) "Detachable magazine" means an ammunition feeding device
20 that can be loaded or unloaded while detached from a firearm and
21 readily inserted into a firearm.

22 (11) "Digital firearm manufacturing code" means any digital
23 instructions in the form of computer-aided design files or other code
24 or instructions stored and displayed in electronic format as a
25 digital model that may be used to program a three-dimensional printer
26 or a computer numerical control (CNC) milling machine to manufacture
27 or produce a firearm, frame or receiver, unfinished frame or
28 receiver, magazine, or unlawful firearm part as identified in RCW
29 9.41.220.

30 (12) "Distribute" means to give out, provide, make available, or
31 deliver a firearm or large capacity magazine to any person in this
32 state, with or without consideration, whether the distributor is in-
33 state or out-of-state. "Distribute" includes, but is not limited to,
34 filling orders placed in this state, online or otherwise.
35 "Distribute" also includes causing a firearm or large capacity
36 magazine to be delivered in this state.

37 (~~(12)~~) (13) "Domestic violence" has the same meaning as
38 provided in RCW 10.99.020.

39 (~~(13)~~) (14) "Family or household member" has the same meaning
40 as in RCW 7.105.010.

1 (~~(14)~~) (15) "Federal firearms dealer" means a licensed dealer
2 as defined in 18 U.S.C. Sec. 921(a)(11).

3 (~~(15)~~) (16) "Federal firearms importer" means a licensed
4 importer as defined in 18 U.S.C. Sec. 921(a)(9).

5 (~~(16)~~) (17) "Federal firearms manufacturer" means a licensed
6 manufacturer as defined in 18 U.S.C. Sec. 921(a)(10).

7 (~~(17)~~) (18) "Felony" means any felony offense under the laws of
8 this state or any federal or out-of-state offense comparable to a
9 felony offense under the laws of this state.

10 (~~(18)~~) (19) "Felony firearm offender" means a person who has
11 previously been convicted or found not guilty by reason of insanity
12 in this state of any felony firearm offense. A person is not a felony
13 firearm offender under this chapter if any and all qualifying
14 offenses have been the subject of an expungement, pardon, annulment,
15 certificate, or rehabilitation, or other equivalent procedure based
16 on a finding of the rehabilitation of the person convicted or a
17 pardon, annulment, or other equivalent procedure based on a finding
18 of innocence.

19 (~~(19)~~) (20) "Felony firearm offense" means:
20 (a) Any felony offense that is a violation of this chapter;
21 (b) A violation of RCW 9A.36.045;
22 (c) A violation of RCW 9A.56.300;
23 (d) A violation of RCW 9A.56.310;
24 (e) Any felony offense if the offender was armed with a firearm
25 in the commission of the offense.

26 (~~(20)~~) (21) "Firearm" means a weapon or device from which a
27 projectile or projectiles may be fired by an explosive such as
28 gunpowder. For the purposes of RCW 9.41.040, "firearm" also includes
29 frames and receivers. "Firearm" does not include a flare gun or other
30 pyrotechnic visual distress signaling device, or a powder-actuated
31 tool or other device designed solely to be used for construction
32 purposes.

33 (~~(21)~~) (22)(a) "Frame or receiver" means a part of a firearm
34 that, when the complete firearm is assembled, is visible from the
35 exterior and provides housing or a structure designed to hold or
36 integrate one or more fire control components, even if pins or other
37 attachments are required to connect the fire control components. Any
38 such part identified with a serial number shall be presumed, absent
39 an official determination by the bureau of alcohol, tobacco,

1 firearms, and explosives or other reliable evidence to the contrary,
2 to be a frame or receiver.

3 (b) For purposes of this subsection, "fire control component"
4 means a component necessary for the firearm to initiate, complete, or
5 continue the firing sequence, including any of the following: Hammer,
6 bolt, bolt carrier, breechblock, cylinder, trigger mechanism, firing
7 pin, striker, or slide rails.

8 ~~((22))~~ (23) "Gun" has the same meaning as firearm.

9 ~~((23))~~ (24) "Import" means to move, transport, or receive an
10 item from a place outside the territorial limits of the state of
11 Washington to a place inside the territorial limits of the state of
12 Washington. "Import" does not mean situations where an individual
13 possesses a large capacity magazine or assault weapon when departing
14 from, and returning to, Washington state, so long as the individual
15 is returning to Washington in possession of the same large capacity
16 magazine or assault weapon the individual transported out of state.

17 ~~((24))~~ (25) "Intimate partner" has the same meaning as provided
18 in RCW 7.105.010.

19 ~~((25))~~ (26) "Large capacity magazine" means an ammunition
20 feeding device with the capacity to accept more than 10 rounds of
21 ammunition, or any conversion kit, part, or combination of parts,
22 from which such a device can be assembled if those parts are in
23 possession of or under the control of the same person, but shall not
24 be construed to include any of the following:

25 (a) An ammunition feeding device that has been permanently
26 altered so that it cannot accommodate more than 10 rounds of
27 ammunition;

28 (b) A 22 caliber tube ammunition feeding device; or

29 (c) A tubular magazine that is contained in a lever-action
30 firearm.

31 ~~((26))~~ (27) "Law enforcement officer" includes a general
32 authority Washington peace officer as defined in RCW 10.93.020, or a
33 specially commissioned Washington peace officer as defined in RCW
34 10.93.020. "Law enforcement officer" also includes a limited
35 authority Washington peace officer as defined in RCW 10.93.020 if
36 such officer is duly authorized by his or her employer to carry a
37 concealed pistol.

38 ~~((27))~~ (28) "Lawful permanent resident" has the same meaning
39 afforded a person "lawfully admitted for permanent residence" in 8
40 U.S.C. Sec. 1101(a)(20).

1 ~~((28))~~ (29) "Licensed collector" means a person who is
2 federally licensed under 18 U.S.C. Sec. 923(b).

3 ~~((29))~~ (30) "Licensed dealer" means a person who is federally
4 licensed under 18 U.S.C. Sec. 923(a).

5 ~~((30))~~ (31) "Loaded" means:

6 (a) There is a cartridge in the chamber of the firearm;

7 (b) Cartridges are in a clip that is locked in place in the
8 firearm;

9 (c) There is a cartridge in the cylinder of the firearm, if the
10 firearm is a revolver;

11 (d) There is a cartridge in the tube or magazine that is inserted
12 in the action; or

13 (e) There is a ball in the barrel and the firearm is capped or
14 primed if the firearm is a muzzle loader.

15 ~~((31))~~ (32) "Machine gun" means any firearm known as a machine
16 gun, mechanical rifle, submachine gun, or any other mechanism or
17 instrument not requiring that the trigger be pressed for each shot
18 and having a reservoir clip, disc, drum, belt, or other separable
19 mechanical device for storing, carrying, or supplying ammunition
20 which can be loaded into the firearm, mechanism, or instrument, and
21 fired therefrom at the rate of five or more shots per second.

22 ~~((32))~~ (33) "Manufacture" means, with respect to a firearm or
23 large capacity magazine, the fabrication, making, formation,
24 production, or construction of a firearm or large capacity magazine,
25 by manual labor or by machinery.

26 ~~((33))~~ (34) "Mental health professional" means a psychiatrist,
27 psychologist, or physician assistant working with a psychiatrist who
28 is acting as a participating physician as defined in RCW 18.71A.010,
29 psychiatric advanced practice registered nurse, psychiatric nurse,
30 social worker, mental health counselor, marriage and family
31 therapist, or such other mental health professionals as may be
32 defined in statute or by rules adopted by the department of health
33 pursuant to the provisions of chapter 71.05 RCW.

34 ~~((34))~~ (35) "Nonimmigrant alien" means a person defined as such
35 in 8 U.S.C. Sec. 1101(a) (15).

36 ~~((35))~~ (36) "Person" means any individual, corporation,
37 company, association, firm, partnership, club, organization, society,
38 joint stock company, or other legal entity.

1 (~~(36)~~) (37) "Pistol" means any firearm with a barrel less than
2 16 inches in length, or is designed to be held and fired by the use
3 of a single hand.

4 (~~(37)~~) (38) "Rifle" means a weapon designed or redesigned, made
5 or remade, and intended to be fired from the shoulder and designed or
6 redesigned, made or remade, and intended to use the energy of the
7 explosive in a fixed metallic cartridge to fire only a single
8 projectile through a rifled bore for each single pull of the trigger.

9 (~~(38)~~) (39) "Sale" and "sell" mean the actual approval of the
10 delivery of a firearm in consideration of payment or promise of
11 payment.

12 (~~(39)~~) (40) "Secure gun storage" means:

13 (a) A locked box, gun safe, or other secure locked storage space
14 that is designed to prevent unauthorized use or discharge of a
15 firearm; and

16 (b) The act of keeping an unloaded firearm stored by such means.

17 (~~(40)~~) (41) "Semiautomatic" means any firearm which utilizes a
18 portion of the energy of a firing cartridge to extract the fired
19 cartridge case and chamber the next round, and which requires a
20 separate pull of the trigger to fire each cartridge.

21 (~~(41)~~) (42) (a) "Semiautomatic assault rifle" means any rifle
22 which utilizes a portion of the energy of a firing cartridge to
23 extract the fired cartridge case and chamber the next round, and
24 which requires a separate pull of the trigger to fire each cartridge.

25 (b) "Semiautomatic assault rifle" does not include antique
26 firearms, any firearm that has been made permanently inoperable, or
27 any firearm that is manually operated by bolt, pump, lever, or slide
28 action.

29 (~~(42)~~) (43) "Serious offense" means any of the following
30 felonies or a felony attempt to commit any of the following felonies,
31 as now existing or hereafter amended:

32 (a) Any crime of violence;

33 (b) Any felony violation of the uniform controlled substances
34 act, chapter 69.50 RCW, that is classified as a class B felony or
35 that has a maximum term of imprisonment of at least 10 years;

36 (c) Child molestation in the second degree;

37 (d) Incest when committed against a child under age 14;

38 (e) Indecent liberties;

39 (f) Leading organized crime;

40 (g) Promoting prostitution in the first degree;

1 (h) Rape in the third degree;
2 (i) Drive-by shooting;
3 (j) Sexual exploitation;
4 (k) Vehicular assault, when caused by the operation or driving of
5 a vehicle by a person while under the influence of intoxicating
6 liquor or any drug or by the operation or driving of a vehicle in a
7 reckless manner;
8 (l) Vehicular homicide, when proximately caused by the driving of
9 any vehicle by any person while under the influence of intoxicating
10 liquor or any drug as defined by RCW 46.61.502, or by the operation
11 of any vehicle in a reckless manner;
12 (m) Any other class B felony offense with a finding of sexual
13 motivation, as "sexual motivation" is defined under RCW 9.94A.030;
14 (n) Any other felony with a deadly weapon verdict under RCW
15 9.94A.825;
16 (o) Any felony offense in effect at any time prior to June 6,
17 1996, that is comparable to a serious offense, or any federal or out-
18 of-state conviction for an offense that under the laws of this state
19 would be a felony classified as a serious offense;
20 (p) Any felony conviction under RCW 9.41.115; or
21 (q) Any felony charged under RCW 46.61.502(6) or 46.61.504(6).
22 ~~((43))~~ (44) "Sex offense" has the same meaning as provided in
23 RCW 9.94A.030.
24 ~~((44))~~ (45) "Short-barreled rifle" means a rifle having one or
25 more barrels less than 16 inches in length and any weapon made from a
26 rifle by any means of modification if such modified weapon has an
27 overall length of less than 26 inches.
28 ~~((45))~~ (46) "Short-barreled shotgun" means a shotgun having one
29 or more barrels less than 18 inches in length and any weapon made
30 from a shotgun by any means of modification if such modified weapon
31 has an overall length of less than 26 inches.
32 ~~((46))~~ (47) "Shotgun" means a weapon with one or more barrels,
33 designed or redesigned, made or remade, and intended to be fired from
34 the shoulder and designed or redesigned, made or remade, and intended
35 to use the energy of the explosive in a fixed shotgun shell to fire
36 through a smooth bore either a number of ball shot or a single
37 projectile for each single pull of the trigger.
38 ~~((47))~~ (48) "Substance use disorder professional" means a
39 person certified under chapter 18.205 RCW.

1 ~~((48))~~ (49) "Three-dimensional printer" means a computer-aided
2 manufacturing device capable of producing a three-dimensional object
3 from a three-dimensional digital model through an additive
4 manufacturing process that involves the layering of two-dimensional
5 cross sections formed of a resin or other material that are fused
6 together to form a three-dimensional object.

7 (50) "Transfer" means the intended delivery of a firearm to
8 another person without consideration of payment or promise of payment
9 including, but not limited to, gifts and loans. "Transfer" does not
10 include the delivery of a firearm owned or leased by an entity
11 licensed or qualified to do business in the state of Washington to,
12 or return of such a firearm by, any of that entity's employees or
13 agents, defined to include volunteers participating in an honor
14 guard, for lawful purposes in the ordinary course of business.

15 ~~((49))~~ (51) "Undetectable firearm" means any firearm that is
16 not as detectable as 3.7 ounces of 17-4 PH stainless steel by walk-
17 through metal detectors or magnetometers commonly used at airports or
18 any firearm where the barrel, the slide or cylinder, or the frame or
19 receiver of the firearm would not generate an image that accurately
20 depicts the shape of the part when examined by the types of X-ray
21 machines commonly used at airports.

22 ~~((50))~~ (52)(a) "Unfinished frame or receiver" means a frame or
23 receiver that is partially complete, disassembled, or inoperable,
24 that: (i) Has reached a stage in manufacture where it may readily be
25 completed, assembled, converted, or restored to a functional state;
26 or (ii) is marketed or sold to the public to become or be used as the
27 frame or receiver of a functional firearm once finished or completed,
28 including without limitation products marketed or sold to the public
29 as an 80 percent frame or receiver or unfinished frame or receiver.

30 (b) For purposes of this subsection:

31 (i) "Readily" means a process that is fairly or reasonably
32 efficient, quick, and easy, but not necessarily the most efficient,
33 speedy, or easy process. Factors relevant in making this
34 determination, with no single one controlling, include the following:
35 (A) Time, i.e., how long it takes to finish the process; (B) ease,
36 i.e., how difficult it is to do so; (C) expertise, i.e., what
37 knowledge and skills are required; (D) equipment, i.e., what tools
38 are required; (E) availability, i.e., whether additional parts are
39 required, and how easily they can be obtained; (F) expense, i.e., how
40 much it costs; (G) scope, i.e., the extent to which the subject of

1 the process must be changed to finish it; and (H) feasibility, i.e.,
2 whether the process would damage or destroy the subject of the
3 process, or cause it to malfunction.

4 (ii) "Partially complete," as it modifies frame or receiver,
5 means a forging, casting, printing, extrusion, machined body, or
6 similar article that has reached a stage in manufacture where it is
7 clearly identifiable as an unfinished component part of a firearm.

8 ~~((51))~~ (53) "Unlicensed person" means any person who is not a
9 licensed dealer under this chapter.

10 ~~((52))~~ (54) "Untraceable firearm" means any firearm
11 manufactured after July 1, 2019, that is not an antique firearm and
12 that cannot be traced by law enforcement by means of a serial number
13 affixed to the firearm by a federal firearms manufacturer, federal
14 firearms importer, or federal firearms dealer in compliance with all
15 federal laws and regulations.

16 ~~((53))~~ (55) "Washington state patrol firearms background check
17 program" means the division within the state patrol that conducts
18 background checks for all firearm transfers and the disposition of
19 firearms.

20 **Sec. 4.** RCW 9.41.190 and 2022 c 105 s 3 are each amended to read
21 as follows:

22 (1) Except as otherwise provided in this section, it is unlawful
23 for any person to:

24 (a) Manufacture, including by use of a three-dimensional printer,
25 computer numerical control milling machine, or other means, or own,
26 buy, sell, loan, furnish, transport, or have in possession or under
27 control, any machine gun, bump-fire stock, undetectable firearm,
28 short-barreled shotgun, or short-barreled rifle;

29 (b) Manufacture, including by use of a three-dimensional printer,
30 computer numerical control milling machine, or other means, or own,
31 buy, sell, loan, furnish, transport, or have in possession or under
32 control, any part designed and intended solely and exclusively for
33 use in a machine gun, bump-fire stock, undetectable firearm, short-
34 barreled shotgun, or short-barreled rifle, or in converting a weapon
35 into a machine gun, short-barreled shotgun, or short-barreled rifle;

36 (c) Assemble or repair any machine gun, bump-fire stock,
37 undetectable firearm, short-barreled shotgun, or short-barreled
38 rifle; or

1 (d) Manufacture, including by use of a three-dimensional printer,
2 computer numerical control milling machine, or other means, or cause
3 to be manufactured, assemble, or cause to be assembled, an
4 untraceable firearm with the intent to sell the untraceable firearm.

5 (2) It is not unlawful for a person to manufacture, own, buy,
6 sell, loan, furnish, transport, assemble, or repair, or have in
7 possession or under control, a short-barreled rifle, or any part
8 designed or intended solely and exclusively for use in a short-
9 barreled rifle or in converting a weapon into a short-barreled rifle,
10 if the person is in compliance with applicable federal law.

11 (3) Subsection (1) of this section shall not apply to:

12 (a) Any peace officer in the discharge of official duty or
13 traveling to or from official duty, or to any officer or member of
14 the armed forces of the United States or the state of Washington in
15 the discharge of official duty or traveling to or from official duty;
16 or

17 (b) A person, including an employee of such person if the
18 employee has undergone fingerprinting and a background check, who or
19 which is exempt from or licensed under federal law, and engaged in
20 the production, manufacture, repair, or testing of machine guns,
21 bump-fire stocks, short-barreled shotguns, or short-barreled rifles:

22 (i) To be used or purchased by the armed forces of the United
23 States;

24 (ii) To be used or purchased by federal, state, county, or
25 municipal law enforcement agencies; or

26 (iii) For exportation in compliance with all applicable federal
27 laws and regulations.

28 (4) It shall be an affirmative defense to a prosecution brought
29 under this section that the machine gun or short-barreled shotgun was
30 acquired prior to July 1, 1994, and is possessed in compliance with
31 federal law.

32 (5) Any person violating this section is guilty of a class C
33 felony.

34 **Sec. 5.** RCW 9.41.325 and 2019 c 243 s 2 are each amended to read
35 as follows:

36 (1) No person may knowingly or recklessly allow, facilitate, aid,
37 or abet the manufacture or assembly of an undetectable firearm or
38 untraceable firearm, including by distribution of digital firearm
39 manufacturing code, by a person who: (a) Is ineligible under state or

1 federal law to possess a firearm; or (b) has signed a valid voluntary
2 waiver of firearm rights that has not been revoked under RCW
3 9.41.350. For purposes of this provision, the failure to conduct a
4 background check as provided in RCW 9.41.113 shall be prima facie
5 evidence of recklessness.

6 (2) (a) Any person violating this section is guilty of a gross
7 misdemeanor punishable under chapter 9A.20 RCW.

8 (b) If a person previously has been found guilty under this
9 section, then the person is guilty of a class C felony punishable
10 under chapter 9A.20 RCW for each subsequent knowing violation of this
11 section. A person is guilty of a separate offense for each and every
12 firearm to which this section applies.

13 **Sec. 6.** RCW 9.41.326 and 2022 c 105 s 4 are each amended to read
14 as follows:

15 (1) No person may manufacture, cause to be manufactured,
16 assemble, or cause to be assembled an untraceable firearm, including
17 by use of a three-dimensional printer, computer numerical control
18 milling machine, or other means.

19 (2) After March 10, 2023, no person may knowingly or recklessly
20 possess, transport, or receive an untraceable firearm, unless the
21 party possessing, transporting, or receiving the untraceable firearm
22 is a law enforcement agency or a federal firearms importer, federal
23 firearms manufacturer, or federal firearms dealer.

24 (3) No person may sell, offer to sell, transfer, or purchase an
25 untraceable firearm.

26 (4) Subsections (2) and (3) of this section do not apply to any
27 firearm that:

28 (a) Has been rendered permanently inoperable;

29 (b) Is an antique firearm, as defined in 18 U.S.C. Sec.
30 921(a)(16);

31 (c) Was manufactured before 1968; or

32 (d) Has been imprinted by a federal firearms dealer or other
33 federal licensee authorized to provide marking services as provided
34 for in RCW 9.41.328.

35 (5) No person may sell, transfer, distribute, or offer to sell
36 digital firearm manufacturing code for a firearm to a person who is
37 not a federal firearms manufacturer, or who is not a federal firearms
38 dealer licensed for the sole purpose of repairing existing firearms.

1 (6) No person may possess digital firearm manufacturing code for
2 a firearm with an intent to distribute the code unless the person
3 receiving the code is:

4 (a) A federal firearms manufacturer; or

5 (b) A federal firearms dealer licensed for the sole purpose of
6 repairing existing firearms.

7 (7) No person may possess digital firearm manufacturing code for
8 a firearm with an intent to manufacture a firearm using a three-
9 dimensional printer or computer numerical control milling machine
10 unless the person is:

11 (a) A federal firearms manufacturer; or

12 (b) A federal firearms dealer licensed for the sole purpose of
13 repairing existing firearms.

14 (8)(a) Any person who violates this section commits a civil
15 infraction and shall be assessed a monetary penalty of \$500.

16 (b) If a person previously has been found to have violated this
17 section, then the person is guilty of a misdemeanor punishable under
18 chapter 9A.20 RCW for each subsequent violation of this section.

19 (c) If a person previously has been found to have violated this
20 section two or more times, then the person is guilty of a gross
21 misdemeanor punishable under chapter 9A.20 RCW for each subsequent
22 violation of this section.

23 (d) If a person violates this section by manufacturing, causing
24 to be manufactured, assembling, causing to be assembled, possessing,
25 transporting, receiving, selling, offering to sell, transferring, or
26 purchasing three or more untraceable firearms at a time, then the
27 person is guilty of a gross misdemeanor punishable under chapter
28 9A.20 RCW for each violation of this section.

29 (e) A person commits a separate violation of this section for
30 each and every firearm to which this section applies.

31 **Sec. 7.** RCW 9.41.327 and 2022 c 105 s 5 are each amended to read
32 as follows:

33 (1) After March 10, 2023, no person may knowingly or recklessly
34 possess, transport, or receive an unfinished frame or receiver,
35 unless: (a) The party possessing, transporting, or receiving the
36 unfinished frame or receiver is a law enforcement agency or a federal
37 firearms importer, federal firearms manufacturer, or federal firearms
38 dealer; or (b) the unfinished frame or receiver has been imprinted

1 with a serial number issued by a federal firearms importer, federal
2 firearms manufacturer, or federal firearms dealer.

3 (2) No person may sell, offer to sell, transfer, or purchase an
4 unfinished frame or receiver, unless: (a) The party purchasing the
5 unfinished frame or receiver is a federal firearms importer, federal
6 firearms manufacturer, or federal firearms dealer; or (b) the
7 unfinished frame or receiver has been imprinted with a serial number
8 issued by a federal firearms importer, federal firearms manufacturer,
9 or federal firearms dealer.

10 (3) No person may sell, transfer, distribute, or offer to sell
11 digital firearm manufacturing code for an unfinished frame or
12 receiver to a person who is not a federal firearms manufacturer, or
13 who is not a federal firearms dealer licensed for the sole purpose of
14 repairing existing firearms.

15 (4) No person may possess digital firearm manufacturing code for
16 an unfinished frame or receiver with an intent to distribute the code
17 unless the person receiving the code is:

18 (a) A federal firearms manufacturer; or

19 (b) A federal firearms dealer licensed for the sole purpose of
20 repairing existing firearms.

21 (5) No person may possess digital firearm manufacturing code for
22 an unfinished frame or receiver with an intent to manufacture an
23 unfinished frame or receiver using a three-dimensional printer or
24 computer numerical control milling machine unless the person is:

25 (a) A federal firearms manufacturer; or

26 (b) A federal firearms dealer licensed for the sole purpose of
27 repairing existing firearms.

28 (6) No person may knowingly or recklessly manufacture a frame or
29 receiver or an unfinished frame or receiver by use of a three-
30 dimensional printer, computer numerical control milling machine, or
31 by other means, unless the party manufacturing the frame or receiver
32 or unfinished frame or receiver is a federal firearms manufacturer,
33 or is a federal firearms dealer licensed for the sole purpose of
34 repairing existing firearms.

35 (7) Subsection (1) of this section does not apply to any
36 unfinished frame or receiver that has been imprinted by a federal
37 firearms dealer or other federal licensee authorized to provide
38 marking services as provided for in RCW 9.41.328.

39 ((4)) (8) (a) Any person who violates this section commits a
40 civil infraction and shall be assessed a monetary penalty of \$500.

1 (b) If a person previously has been found to have violated this
2 section, then the person is guilty of a misdemeanor punishable under
3 chapter 9A.20 RCW for each subsequent violation of this section.

4 (c) If a person previously has been found to have violated this
5 section two or more times, then the person is guilty of a gross
6 misdemeanor punishable under chapter 9A.20 RCW for each subsequent
7 violation of this section.

8 (d) If a person violates this section by possessing,
9 transporting, receiving, selling, offering to sell, transferring,
10 (~~or~~) purchasing, or manufacturing three or more frames or receivers
11 or unfinished frames or receivers at a time, then the person is
12 guilty of a gross misdemeanor punishable under chapter 9A.20 RCW for
13 each violation of this section.

14 (e) A person commits a separate violation of this section for
15 each and every frame or receiver, or unfinished frame or receiver, to
16 which this section applies.

17 NEW SECTION. Sec. 8. Section 2 of this act expires June 30,
18 2027.

19 NEW SECTION. Sec. 9. Section 3 of this act takes effect June
20 30, 2027.

21 NEW SECTION. Sec. 10. Except for section 3, this act is
22 necessary for the immediate preservation of the public peace, health,
23 or safety, or support of the state government and its existing public
24 institutions, and takes effect immediately.

25 NEW SECTION. Sec. 11. If any provision of this act or its
26 application to any person or circumstance is held invalid, the
27 remainder of the act or the application of the provision to other
28 persons or circumstances is not affected."

ESHB 2320 - S COMM AMD
By Committee on Law & Justice

ADOPTED 02/28/2026

29 On page 1, line 3 of the title, after "code;" strike the
30 remainder of the title and insert "amending RCW 9.41.010, 9.41.190,

1 9.41.325, 9.41.326, and 9.41.327; reenacting and amending RCW
2 9.41.010; creating a new section; providing an effective date;
3 providing an expiration date; and declaring an emergency."

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