

SSB 5697 - S AMD 43

By Senators Hargrove, Padden, Schoesler

ADOPTED 02/10/2012

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

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4 "NEW SECTION. **Sec. 1.** (1)(a) If a governmental agency chooses to
5 purchase, use, or issue a firearms safety device or gun safe, that
6 device or safe must meet the minimum standards for gun safes and
7 firearms safety devices as provided in subsection (2) of this section
8 on the date of purchase.

9 (b) Nothing in this section shall require any governmental agency
10 to purchase, possess, use, or issue firearms safety devices or gun
11 safes.

12 (2) The devices identified by the California department of justice
13 pursuant to title 2, sections 12087-12088.9 of the California penal
14 code, effective July 1, 2012 meet the minimum standards for gun safes
15 and firearms safety devices.

16 (3) For purposes of this section:

17 (a) "Firearm" means a firearm as defined in RCW 9.41.010.

18 (b) "Firearms safety device" means a device other than a gun safe
19 that locks and is designed to prevent children and unauthorized users
20 from firing a firearm. The device may be installed on a firearm, be
21 incorporated into the design of the firearm, or prevent access to the
22 firearm.

23 (c) "Governmental agency" means any department or agency of state,
24 county, or local government.

25 (d) "Gun safe" means a locking container that fully contains and
26 secures one or more firearms.

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1 (4) A governmental agency or government agent shall not be liable
2 for civil damages resulting directly or indirectly from the purchase,
3 possession, or proper use of a firearms safety device or gun safe
4 identified as appropriate for that firearm identified under subsection
5 (2) of this section or for the purchase, possession, or proper use of
6 a firearms safety device or gun safe identified as appropriate for
7 that firearm that was purchased prior to July 1, 2012.

8 (5) A governmental agency that has purchased or issued a firearms
9 safety device or gun safe prior to July 1, 2012, must replace any
10 firearms safety device or gun safe or remove any requirement that a
11 government agent use any firearms safety device or gun safe, if it is
12 not included on the roster identified under subsection (2) of this
13 section.

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15 NEW SECTION. **Sec. 2.** Section 1 of this act constitutes a new
16 chapter in Title 42 RCW."

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EFFECT:

- Clarifies that the devices listed on the California roster effective July 1, 2012 meet the minimum safety standards for Washington State.
- A governmental agency that has provided a firearms safety device or gun safe prior to July 1, 2012, must either replace the device with one that is approved or remove any requirement that the nonconforming device be used.

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