



Washington State Senate

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Senator Phil Fortunato
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April 12, 2023

The Honorable Robert Ferguson
Office of the Attorney General
PO Box 40100
Olympia, WA 98504-0100

Dear Attorney General Ferguson:

I proposed an amendment to SHB 1240, the Assault Weapons Ban, to address pawnbrokers who are holding banned firearms as collateral for clients. My concern is that these pawnbrokers would be left with firearms that they may be unable to return to the owner upon repayment of the loan or be unable to sell these firearms if the loan is not paid. Since they are not purchased but simply loaned against, I want to clarify that these firearms can be transferred back to the owner if they repay their loan.

I proposed amendment 369 to add these loan transactions by pawnbrokers to the list of exemptions within SHB 1240. However, Senator Manka Dhingra in her response opposing the amendment, made the following statement in her floor speech: "The striking amendment before us on Substitute House Bill 1240 does not prohibit transfers of assault weapons, including transfers as a pawn broker as collateral through loan and the return of that assault weapon to the owner. If a pawn broker receives an assault weapon as collateral for a loan, before or after the enactment of this legislation, the pawn broker is permitted to return the firearm to the owner." (<https://www.tvw.org/watch/?clientID=9375922947&eventID=2023041097&startStreamAt=4027&stopStreamAt=4210>).

Please provide your opinion on Senator Dhingra's interpretation of these transactions.

Sincerely,

Senator Phil Fortunato
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