



2023 AGO & GOV JOINT AGENCY REQUEST LEGISLATION Ban the Sale of Assault Weapons

What's the problem?

Assault weapons are increasingly used to perpetrate mass shootings.¹ Assault weapons are semi-automatic weapons with at least one military-style feature. The weapon's design allows it to be fired more easily, accurately and rapidly than a typical hunting rifle.

Assault weapons cause carnage.²

What's the solution? SB 5265 / HB 1240

Washington must prioritize public safety and take steps to ban the sale of dangerous assault weapons. This legislation prohibits the sale, manufacture, and import of assault weapons in Washington State while allowing reasonable exemptions for manufacture and sale to law enforcement and the military. The legislation does not prohibit the possession of assault weapons.

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I had heard from some of the nurses that there were two dead children who had been moved to the surgical area of the hospital. What I did find was something no prayer will ever relieve. Two children, whose bodies had been so pulverized by the bullets fired at them, decapitated, whose flesh had been so ripped apart, that the only clue as to their identities was the blood-spattered cartoon clothes still clinging to them.

Dr. Roy Guerrero, Uvalde Memorial Hospital Pediatrician

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What are other jurisdictions doing?

Eight states³ have adopted similar legislation banning these weapons. Multiple federal courts have upheld such public safety bans as constitutional, and the U.S. Supreme Court has allowed these decisions to stand as good law.⁴ A challenge to Maryland's ban remains pending,⁵ but Justices Alito and Kavanaugh have both recently reiterated that “the Second Amendment is not unlimited” and the right to keep and bear arms is “not a right to keep and carry any weapon whatsoever ...”⁶

Key Stats:

7X

They are also 7 times more likely to kill law enforcement compared to any other firearm.⁷

6X

“When assault weapons are used in a mass shooting, 6 times as many people are shot”
-Everytown for Gun Safety

Prime Sponsor:

Sen. Kuderer (D-48)
Rep. Peterson (D-21)

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1: USA Today, “More mass shooters are using semi-automatic rifles – often bought legally,” July 12, 2022, <https://www.usatoday.com/story/news/nation/2022/07/12/mass-shootings-weapons-legal-what-to-know/7814081001/>

2: NPR, “This is how handguns and assault weapons affect the human body,” June 6, 2022. <https://www.npr.org/2022/06/06/1103177032/gun-violence-mass-shootings-assault-weapons-victims>

3: California, Connecticut, Delaware, Hawaii, New York, New Jersey, Maryland, Massachusetts

4: E.g., *Worman v. Healey*, 922 F.3d 26 (1st Cir. 2019) (cert. denied); *New York State Rifle & Pistol Ass’n, Inc. v. Cuomo*, 804 F.3d 242 (2d Cir. 2015) (cert. denied); *Kolbe v. Hogan*, 849 F.3d 114 (4th Cir. 2017) (cert. denied); *Wilson v. Cook County*, 937 F.3d 1028 (7th Cir. 2019) (cert. denied). While *Bruen* abrogated the reasoning in some of these cases to the extent they applied means-end scrutiny, *Bruen* did not disturb any of their conclusions that assault-weapons bans are constitutional.

5: *Bianchi v. Frosh*, 142 S. Ct. 2898 (2022) (cert. granted, judgment vacated, and remanded).

6: *New York State Rifle & Pistol Ass’n, Inc. v. Bruen*, 142 S. Ct. 2111, 2162 (2022) (Kavanaugh, J., concurring).

7: Violence Policy Center, “Officer Down, Assault Weapons and the War on Law Enforcement,” May, 2003, <https://bit.ly/2tlcMMg>