

California Department of Justice DIVISION OF LAW ENFORCEMENT Larry J. Wallace, Director		INFORMATION BULLETIN	
<i>Subject:</i> New and Amended Firearms/Weapons Laws	<i>No:</i> 2014-BOF-01	Bureau of Firearms	
	<i>Date:</i> January 10, 2014		

TO: All California Criminal Justice and Law Enforcement Agencies, Centralized List of Firearms Dealers, Manufacturers, and Exempted Federal Firearms Licensees

This bulletin provides a brief summary of new and amended California firearms/weapons laws that take effect January 1, 2014, unless otherwise noted. You may access the full text of the bills via the Internet at <http://leginfo.legislature.ca.gov/>.

AB 809 (Stats. 2011, ch. 745) – Collection and Retention of Long Gun Information

- Commencing January 1, 2014, requires information regarding the sale or transfer of long guns (rifles and shotguns) to be reported, collected, and retained in the same manner as handguns. (Pen. Code, §§ 11106, 26905.)

AB 1559 (Stats. 2012, ch. 691) –Fees

- Commencing January 1, 2014, only one processing fee will be charged for a single transaction (e.g. sale, transfer, miscellaneous reports of ownership, etc.) regardless of the number of firearms. (Pen. Code, § 28240.)

AB 48 (Stats. 2013, ch. 728) – Large-Capacity Magazines

- With specified exceptions, makes it a misdemeanor to knowingly manufacture, import, keep for sale, offer or expose for sale, or give, lend, buy, or receive any large-capacity magazine conversion kit that is capable of converting an ammunition feeding device into a large-capacity magazine. (Pen. Code, § 32311.)
- With specified exceptions, makes it either a misdemeanor or a felony to buy or receive a large-capacity magazine. (Pen. Code, § 32310.)

AB 170 (Stats. 2013, ch. 729) – Assault Weapon and .50 BMG Rifle Permits

- Defines “person” as an individual for purposes related to the issuance of permits for the possession of assault weapons, .50 BMG rifles, and machineguns. Such permits may not be issued to a partnership, corporation, limited liability company, association, or any other group or entity, regardless of how that entity was created. (Pen. Code, §§ 16970, 31000, 32650.)

AB 231 (Stats. 2013, ch. 730) – Criminal Storage of Firearms

- Establishes the misdemeanor offense of criminal storage of a firearm in the third degree, when a person keeps a loaded firearm within any premises under his or her custody or control and negligently stores or leaves a loaded firearm in a location where the person knows, or reasonably should know, that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, unless reasonable action is taken by the person to secure the firearm against access by the child. (Pen. Code, § 25100.)
- Requires firearms dealers to post conspicuously within their licensed premises, the following warning in block letters not less than one inch in height:

"IF YOU NEGLIGENTLY STORE OR LEAVE A LOADED FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, WHERE A PERSON UNDER 18 YEARS OF AGE IS LIKELY TO ACCESS IT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A FINE OF UP TO ONE THOUSAND DOLLARS (\$1,000), UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE."

(Pen. Code, § 26835, subd. (d).)

AB 500 (Stats. 2013, ch. 737) – Firearms

- Requires the Department of Justice (the Department) to immediately notify a firearms dealer to delay the transfer of a firearm to a purchaser if the Department is unable to determine the purchaser's eligibility within the 10-day waiting period. If the Department is still unable to make a determination after 30 days, the Department is required to notify the dealer and the dealer is authorized to release the firearm to the purchaser at his or her discretion. (Pen. Code, § 28220.)
- Requires firearms dealers to notify the Department when a purchaser actually takes possession of the firearm. (Pen. Code, § 28255.)
- Requires any person who resides with a prohibited individual to secure their firearm(s) in one of several methods specified in Penal Code section 25135. A violation of this provision is a misdemeanor. (Pen. Code, § 25135.)

AB 538 (Stats. 2013, ch. 738) – Firearms

- Exempts law enforcement agencies from various requirements (e.g. dealer licensing, HSC) related to the transfer of firearms by a law enforcement agency to specified persons (e.g. firearms dealers, wholesalers, manufacturers). (Pen. Code, §§ 26620, 27600, 27620, 31835.)
- Requires law enforcement agencies to update the Automated Firearms System (AFS) within 10 days of destroying a registered institutional weapon or transferring one to another law enforcement agency. (Pen. Code, § 27620.)

- Requires firearms dealers to record on the DROS, the date that he or she delivers a firearm to the purchaser. The Department has completed enhancements to the DROS Entry System (DES) to electronically record the delivery date on the DROS of firearm that can be delivered. The firearms dealer and the purchaser must sign the DROS as confirmation of delivery. The dealer must provide a copy of the signed DROS to the purchaser. (Pen. Code, §§ 28160, 28210, 28215.)

AB 539 (Stats. 2013, ch. 739) – Firearms Possession; Prohibitions; Storage During Prohibition

- Allows a person who is prohibited from owning or possessing a firearm to transfer his or her firearm(s) to a licensed firearms dealer for storage during the duration of the prohibition, provided the prohibition will end on a date specified in a court order. (Pen. Code, § 29830.)
- Requires firearms dealers who store a prohibited person's firearm(s) to notify the Department of the date that he or she takes possession of the firearm(s) for storage. The Department is working on enhancements to DES to enable dealers to electronically report temporary storage transactions. (Pen. Code, § 29830.)

AB 685 (Stats. 2013, ch. 16) – Peace Officer's State-Issued Handgun

- Authorizes the spouse or domestic partner of a peace officer who dies in the line of duty to purchase the officer's duty weapon, with the approval of the head of the officer's agency. (Pen. Code, § 26613; Pub. Contract Code, § 10334.)

AB 703 (Stats. 2013, ch. 267) – Peace Officers; Firearms

- Extends retired peace officer CCW privileges to honorably retired level I reserve officers who meet specified criteria. (Pen. Code, §§ 25450, 25900, 26300.)

AB 1131 (Stats. 2013, ch. 747) – Firearms

- Increases the firearms prohibition on persons who communicate to a licensed psychotherapist a serious threat of physical violence against a reasonably identifiable person from six months to five years. (Welf. & Inst. Code, § 8100.)
- Requires courts to provide specified notices regarding prohibited persons within two court days of the court order, and would require facilities to submit specified mental health reports to the Department within 24 hours of the patient's admission. The bill would require notices and reports submitted to the in connection with these provisions to be submitted in an electronic format prescribed by the Department. (Welf. & Inst. Code, §§ 8103, 8104, 8105.)

SB 127 (Stats. 2013, ch. 753) – Firearms

- Requires licensed psychotherapists to report the identity of any person who communicates a serious threat of physical violence to local law enforcement within 24 hours. The local law enforcement agency is then required to notify the Department electronically within 24 hours. The Department is scheduled to implement a new electronic reporting system by April, 2014, to assist law enforcement agencies in complying with this requirement. (Welf. & Inst. Code, § 8105.)

SB 303 (Stats. 2013, ch. 149) – Retired Peace Officer CCW Authorization

- Provides that if the agency from which a peace officer retired no longer provides law enforcement services or the relevant governmental entity is dissolved, the retired peace officer may obtain CCW authorization from the agency that takes over that jurisdiction if the officer meets the issuance requirements of the successor agency. (Pen. Code, §§ 25905, 25920.)

SB 363 (Stats. 2013, ch. 758) – Criminal Storage; Handgun Roster Fees

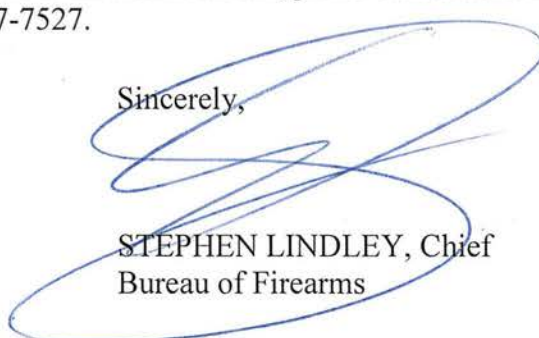
- Expands the laws related to “criminal storage of a firearm” by adding situations that are considered criminal storage. (Pen. Code, §§ 25100, 25200.)
- Commencing January 1, 2015, requires firearm manufacturers to pay their annual handgun roster fee to the Department by January 1st of each year. (Pen. Code, § 32015.)
- Allows federal law enforcement officers to purchase handguns that are not on the Roster of Handguns Certified for Sale. (Pen. Code, § 32000.)

SB 683 (Stats. 2013, ch. 761) – Firearms Safety Certificate

- Commencing January 1, 2015, expands existing handgun safety certificate laws to apply to all firearms. A Firearm Safety Certificate and safe handling demonstration will be required to purchase or receive any firearm as of January 1, 2015. Unexpired Handgun Safety Certificates will be accepted for handgun acquisitions. (Pen. Code, §§ 16535, 26840, 26860, 27540, 27875, 27880, 27920, 27925, 28160, 31610-31660, 31700, 31810.)

If you have any questions regarding this Information Bulletin, please contact the Department of Justice, Bureau of Firearms at (916) 227-7527.

Sincerely,



STEPHEN LINDLEY, Chief
Bureau of Firearms

For KAMALA D. HARRIS
Attorney General