

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> 2016-BOF-02 <i>Date:</i> 01/10/2017	Bureau of Firearms (916) 227-7527	

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 California firearms/weapons bills that were signed into law by Governor Brown in July and September, 2016, that took effect January 1, 2017, unless otherwise noted. You can access the full text of the bills at <http://leginfo.legislature.ca.gov/>.

AB 857 (Stats. 2016, ch. 60) – Identifying Information on Firearms

- Commencing July 1, 2018, and subject to exceptions, requires a person who manufactures or assembles a firearm to first apply to the Department of Justice (“department”) for a unique serial number or other identifying mark, as provided. (Pen. Code, § 29180.)
- Requires any person who, as of July 1, 2018, owns a firearm that does not bear a serial number to likewise apply to the department for a unique serial number or other mark of identification by January 1, 2019. Except as provided, the sale or transfer of a firearm manufactured or assembled pursuant to these provisions is prohibited. A person who is prohibited from possessing a firearm is prohibited from aiding in the manufacture or assembly of a firearm. A violation of these provisions is a misdemeanor. (Pen. Code, § 29180.)
- Requires the department to issue a serial number or other identifying mark to an applicant meeting specified criteria and allows the department to charge a fee to recover its costs associated with assigning the distinguishing number or mark. (Pen. Code, §§ 23910, 29180, 29182, 29183.)
- The department will soon be drafting regulations that specify the acceptable procedures for obtaining a serial number for a firearm that does not possess one.

AB 1135 (Stats. 2016, ch. 40) and SB 880 (Stats. 2016, ch. 48) – Assault Weapons

- Revises the Penal Code section 30515 definition of “assault weapon” to mean a semiautomatic centerfire rifle or a semiautomatic pistol that does not have a fixed magazine but has any one of several specified attributes. Defines “fixed magazine” to mean an ammunition feeding device contained in, or permanently attached to, a firearm in such a manner that the device cannot be removed without disassembly of the firearm action. (Pen. Code, § 30515.)
- Requires any person who, from January 1, 2001, to December 31, 2016, inclusive, lawfully possessed an assault weapon that does not have a fixed magazine, as defined, and including those weapons with an ammunition feeding device that can be removed readily from the firearm with the use of a tool, to register the firearm with the department before January 1, 2018, but not before the

effective date of specified regulations. Registrations must be submitted electronically via the Internet utilizing a public-facing application to be made available by the department. The registration fee is \$15 per person. (Pen. Code, § 30900.)

- Requires the department to adopt regulations for the purpose of implementing these provisions. The regulations adopted by the department are exempt from the Administrative Procedure Act. (Pen. Code, § 30900.)
- The department is currently drafting regulations that specify the acceptable methods of registering an assault weapon.

AB 1511 (Stats. 2016, ch. 41) – Lending Firearms

- Limits the exemption from conducting the loan of a firearm through a licensed firearms dealer, to the loan of a firearm to a spouse or registered domestic partner, or to a parent, child, sibling, grandparent, or grandchild, related as specified. If the firearm being loaned is a handgun, it must be registered to the person loaning the handgun. (Pen. Code, § 27880.)

AB 1695 (Stats. 2016, ch. 47) – False Reports of Stolen Firearms

- Makes it a misdemeanor to report to certain individuals and peace officers as specified, that a firearm has been lost or stolen, knowing the report to be false. Makes it a misdemeanor for a person convicted of violating this provision to own, purchase, or possess a firearm within 10 years of the conviction. (Pen. Code, §§ 148.5, 29805.)

AB 1999 (Stats. 2016, ch. 638) – Initial Review of Prohibited Armed Persons File

- Requires the department to complete an initial review of a match, as defined, in the daily queue of the Armed and Prohibited Persons system within 7 days of the match being placed in the queue.
- Requires periodic reassessment of whether the department can complete said reviews more efficiently.

AB 2165 (Stats. 2016, ch. 640) – Firearms Prohibitions Exemptions

- Exempts specified entities and sworn members who have to complete a firearms portion of a training course prescribed by the Commission on Peace Officer Standards and Training from limitations on the sale or purchase of a handgun.
- Exempt individuals pursuant to this provision would be prohibited from the sale or transfer of ownership of a handgun to an individual who is not exempt.
- Requires exempt individuals to lock an unsafe handgun, as described, in their vehicle's trunk, or in a locked container out of sight when leaving their vehicle unattended.

AB 2510 (Stats. 2016, ch. 645) – Uniform License to Carry Concealed Weapons

- This bill would require the Attorney General to develop a uniform license that may be used as indicia of proof of licensure throughout the state.
- The Attorney General is required to approve the use of licenses issued by local agencies that contain specified information, including a recent photograph of the applicant.
- The Attorney General is required to retain exemplars of approved licenses and maintain a list of agencies issuing local licenses.
- This bill would create a committee comprised of representatives from the California State Sheriffs' Association, California Police Chiefs Association, and the Department of Justice to review and revise the uniform licenses, as specified.

SB 1235 (Stats. 2016, ch. 55) – Ammunition

- Commencing July 1, 2019, with specified exceptions, ammunition can be sold only to a person whose information matches an entry in the Automated Firearms System and who is eligible to possess ammunition, to a person who has a current certificate of eligibility issued by the department, or to a person who purchases or transfers the ammunition in a single ammunition transaction, as specified. Ammunition purchasers and transferees would be charged a per transaction fee not to exceed \$1.
- Commencing July 1, 2019, an ammunition vendor shall electronically submit to the department information regarding ammunition sales and transfers. The department shall retain this information in a database to be known as the Ammunition Purchase Records File. This information shall remain confidential and may be used by the department and those entities specified in, and pursuant to, subdivision (b) or (c) of Penal Code section 11105, through the California Law Enforcement Telecommunications System, only for law enforcement purposes. The ammunition vendor shall not use, sell, disclose, or share the information for any other purpose other than the submission required by this subdivision without the express written consent of the purchaser or transferee.
- The other provisions of this bill will not become operative, as Proposition 63 was passed by voters.
- The department is currently drafting regulations that specify the acceptable methods for ammunition sales.

SB 1446 (Stats. 2016, ch. 58) – Magazine Capacity

- Commencing July 1, 2017, makes it an infraction punishable by a fine not to exceed \$100 for the first offense, by a fine not to exceed \$250 for the 2nd offense, and by a fine not to exceed \$500 for the 3rd or subsequent offense, for a person to possess any large-capacity magazine, regardless of the date the magazine was acquired. A person who, prior to July 1, 2017, legally possesses a large-capacity magazine shall dispose of that magazine by any of the following means:

- (1) Remove the large-capacity magazine from the state.
- (2) Prior to July 1, 2017, sell the large-capacity magazine to a licensed firearms dealer.
- (3) Destroy the large-capacity magazine.
- (4) Surrender the large-capacity magazine to a law enforcement agency. (Pen. Code, § 32310.)

Pursuant to Penal Code section 16740, the definition of a large capacity magazine does not include an ammunition feeding device that has been permanently altered so that it cannot accommodate more than 10 rounds. The department is currently drafting regulations that specify the acceptable methods of permanent alteration.

SB 869 (Stats. 2016, ch. 651) – Securing Handguns in Vehicles

- Requires a person, when leaving a handgun in an unattended vehicle, to secure the handgun by locking it in the trunk of the vehicle or locking it in a locked container and placing the container out of plain view, or locking the handgun in a container that is permanently affixed to the vehicle's interior and not in plain view.

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

Sincerely,



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For KATHLEEN A. KENEALY
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