

California Department of Justice FIREARMS DIVISION Randy Rossi, Director		INFORMATION BULLETIN
Subject: Senate Bill (SB) 23 - New Laws Pertaining to Large Capacity Magazines and Assault Weapons	No.: 99-06-FD	For further information contact: Firearms Division (916) 227-3703
	Date: 12-17-99	

TO: FIREARMS DEALERS

The purpose of this bulletin is to inform you of additions and amendments pertaining to large capacity magazines and assault weapons to be made to the California Penal Code (PC) effective January 1, 2000, as a result of the passage of Senate Bill (SB) 23 (Chapter 129, Statutes of 1999).

Large Capacity Firearms Magazines

Effective January 1, 2000, the manufacture, importation, sale, or transfer of any large capacity firearms magazine, except to specifically designated parties and under specified conditions, will be prohibited by law. Possession of large capacity magazines is not restricted by this law. All applicable federal laws and regulations regarding large capacity magazines remain in force and must continue to be observed.

A large capacity magazine is defined as any ammunition feeding device with the capacity to accept more than ten rounds but shall not include any .22 caliber tube ammunition feeding device, or a magazine that has been permanently altered so that it cannot accommodate more than 10 rounds.

Under this law, sales of large capacity magazines to persons authorized under PC §12020(b), such as law enforcement agencies, peace officers, licensed firearms dealers, armored car companies, museums, and theatrical companies are permitted. Dealer record keeping requirements include the maintenance of records of sales for all transactions, including a copy of the official invoice of the law enforcement agency, or an authorization letter on the letterhead of the company to which the sale is being made. The records must be maintained at the dealership location for three years and made available to law enforcement upon request.

The import of large capacity magazines into California or the export of large capacity magazines out of California will require a permit. Large Capacity Magazine Permits may be issued by the Department of Justice, upon request, only to firearms dealers who are listed on the Department of Justice (DOJ) Centralized List of Firearms Dealers. Dealers seeking a Large Capacity Magazine Permit must certify they have a bona fide marketplace for the import or export of large capacity magazines and that they will comply with all applicable state laws and regulations. Permittees are required to keep acquisition and disposition transaction records of the importation and exportation of large capacity magazines. Records shall include transaction date, transaction volume; and the name, address, and Federal Firearms License number (if any) of the out of state transferee or transferor. Records must be maintained at the dealership for three years and be made available to representatives of the DOJ or any other law enforcement agency upon request.

Application forms for the Large Capacity Magazine Permit have been provided to all firearms dealers with the 2000 Centralized List Renewal Application Form mailings. Additional Large Capacity Magazine Permit applications may be obtained by contacting the Firearms Division at (916) 227-3703.

Assault Weapon Definitions

Effective January 1, 2000, PC § 12276.1 adds the following new definitions of assault weapons based on specified generic characteristics:

- (1) A semiautomatic, centerfire rifle that has the capacity to accept a detachable magazine and any one of the following:
 - (A) A pistol grip that protrudes conspicuously beneath the action of the weapon.
 - (B) A thumbhole stock.
 - (C) A folding or telescoping stock.
 - (D) A grenade launcher or flare launcher.
 - (E) A flash suppressor.
 - (F) A forward pistol grip.
- (2) A semiautomatic, centerfire rifle that has a fixed magazine with the capacity to accept more than 10 rounds.
- (3) A semiautomatic, centerfire rifle that has an overall length of less than 30 inches.
- (4) A semiautomatic pistol that has the capacity to accept a detachable magazine and any one of the following:
 - (A) A threaded barrel, capable of accepting a flash suppressor, forward handgrip, or silencer.
 - (B) A second handgrip.
 - (C) A shroud that is attached to, or partially or completely encircles, the barrel that allows the bearer to fire the weapon without burning his or her hand, except a slide that encloses the barrel.
 - (D) The capacity to accept a detachable magazine at some location outside of the pistol grip.
- (5) A semiautomatic pistol with a fixed magazine that has the capacity to accept more than 10 rounds.
- (6) A semiautomatic shotgun that has both of the following:
 - (A) A folding or telescoping stock.
 - (B) A pistol grip that protrudes conspicuously beneath the action of the weapon, thumbhole stock, or vertical handgrip.
- (7) A semiautomatic shotgun that has the ability to accept a detachable magazine.
- (8) Any shotgun with a revolving cylinder.

Further clarification of these definitions will be included in the forthcoming DOJ Regulations for Assault Weapon Registration and Large Capacity Magazines.

Assault Weapon Registration

Anyone who lawfully possessed a firearm that meets the defined characteristics of PC § 12276.1 prior to January 1, 2000, is required to register the firearm with the DOJ between January 1, 2000, and December 31, 2000. Assault Weapon Registration Application forms have been sent to licensed firearms dealers and police departments and sheriff's offices throughout the state. Additional pertinent information regarding registration is as follows:

- Firearms that were specified as assault weapons under PC § 12276 (original Roberti-Roos Assault Weapons Control Act) may not be registered under this new law.
- An assault weapon registration application submitted on the same date and at the same time may include any number of weapons.
- The legislatively mandated fee that must accompany each assault weapon registration application is \$20.
- Applications for registration are subject to the applicant's legal eligibility to possess firearms.
- Enforcement of the illegal possession of assault weapons defined pursuant to PC § 12276.1 will go into effect January 1, 2001.

The DOJ is mandated to conduct a public notification and education campaign to ensure maximum publicity of the responsibilities under the law. The DOJ will be distributing posters to all firearms dealers. Dealers must conspicuously post the posters in their places of business during the registration period (January 1 through December 31, 2000) pursuant to PC § 12289(a). Counter displays with information flyers will also be distributed to many licensed firearms dealers (based on sales volumes) and to all police departments and sheriff's offices.

In addition, further information pertaining to these laws will be available after January 1, 2000 on an Internet web site at www.regagun.org, via the toll-free telephone number **877-Reg A Gun** (1-877-734-2486), and through radio and television announcements which will air throughout calendar year 2000. The full text of the chaptered bill can be accessed through the Firearms Division web site at www.caag.ca.gov/firearms/.

If you have further questions or need additional Assault Weapon Registration Application forms, please call the Firearms Division at (916) 227-3703.

Sincerely,



RANDY ROSSI, Director
Firearms Division

For BILL LOCKYER
Attorney General