

2019 New Gun Laws

CSU Quick Summary

CA New Gun Laws: 10/25/19

- [Strengthening Gun Violence Restraining Orders]
 - AB 12 -Pg(3)
 - AB 61 -Pg(4)
 - AB 164 -Pg(5)
 - AB 339 -Pg(6)
 - AB 1493 -Pg(7)
- [Regulating Firearm Sales]
 - SB 61 -Pg(8)
 - SB 376 -Pg(9)
 - AB 645 -Pg(10)
 - AB 879 -Pg(11)
 - AB 1669 -Pg(12)
 - AB 1297 -Pg(13)
 - AB 893 -Pg(14)
- [Additional Legislation]
 - AB 1548 -Pg(15)
 - AB 1603 -Pg(16)
 - AB 521 -Pg(17)

AB 12: GVROs Now Last up to 5 Years

Sponsor:

Assemblymember Jacqui Irwin (D-Thousand Oaks)

Operation:

The bill would change the duration of the gun violence restraining order and the renewal of the gun violence restraining order from one year to a period of time between one to 5 years, subject to earlier termination or renewal by the court. The bill would require a court, in determining the duration of the gun violence restraining order, to consider the length of time that the threat of personal injury is likely to continue, and to issue the order based on that determination.

In short: extends the duration of a gun violence restraining order (GVRO) to a maximum of five years.

New Code Section:

This bill would incorporate additional changes to Sections 18170 and 18190 of the Penal Code proposed by AB 61 to be operative only if this bill and AB 61 are enacted and this bill is enacted last. The bill would also incorporate additional changes to Section 18175 of the Penal Code proposed by AB 1493 to be operative only if this bill and AB 1493 are enacted and this bill is enacted last.

AB 61: More GVRO applicants

Sponsor:

Assemblymember Philip Ting (D-San Francisco)

Operation:

This bill would, commencing September 1, 2020, similarly authorize an employer, a coworker who has substantial and regular interactions with the person and approval of their employer, or an employee or teacher of a secondary or postsecondary school, with approval of a school administrator or a school administration staff member with a supervisory role, that the person has attended in the last 6 months to file a petition for an ex parte, one-year, or renewed gun violence restraining order.

In short: allows an employer, coworker, or an employee or teacher to file a petition requesting a gun violence restraining order.

New Code Section:

This bill would incorporate additional changes to Sections 18170 and 18190 of the Penal Code proposed by AB 12 to be operative only if this bill and AB 12 are enacted and this bill is enacted last.

AB 164: Ammo by Restrained People

Sponsor:

Assemblymember Sabrina Cervantes (D-Riverside)

Operation:

Under existing law, a person who purchases or receives a firearm, attempts to purchase or receive a firearm, or owns or possesses a firearm knowing that the person is prohibited from doing so by a temporary restraining order, an injunction, or a protective order, as specified, is guilty of a crime.

This bill would expand the scope of this crime to a person who is prohibited from purchasing or possessing a firearm in any jurisdiction by a valid order issued by an out-of-state jurisdiction that is similar or equivalent to a temporary restraining order, injunction, or protective order issued in this state, and which includes a prohibition from owning or possessing a firearm. The bill would require the Attorney General to undertake the actions necessary to implement this provision to the extent the Legislature appropriates funds for this purpose. Because this bill would expand the scope of an existing crime, it would impose a state-mandated local program.

In short: holds any person subject to a valid restraining order, injunction, or protective order issued out of state to the same restrictions on buying or possessing firearms in California as they are under in the state where the order or injunction is operative.

New Code Section: NONE

AB 339: GVRO Policy Mandatory

Sponsor:

Assemblymember Jacqui Irwin (D-Thousand Oaks)

Operation:

This bill would require each specified law enforcement agency to develop and adopt written policies and standards, as described, regarding the use of gun violence restraining orders.

By requiring local law enforcement agencies to develop new policies, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

In short: requires law enforcement agencies to develop and adopt written policies and standards regarding the use of gun violence restraining orders.

New Code Section:

This bill would incorporate additional changes to Section 18108 of the Penal Code.

AB 1493: GVRO Relinquishment

Sponsor:

Assemblymember Philip Ting (D-San Francisco)

Operation:

This bill would, commencing September 1, 2020, authorize the subject of the petition to file a form with the court relinquishing the subject's firearm rights and stating that the subject is not contesting the petition. If the subject files that form, the bill would require the court to issue a gun violence restraining order, as specified, and to provide notice of the order to all parties. The bill would make conforming changes.

In short: authorizes a person who is the subject of a gun violence restraining order to petition to submit a form to the court voluntarily relinquishing their firearm rights.

New Code Section:

This bill would incorporate changes to Section 18175 of the Penal Code proposed by AB 12 to be operative only if this bill and AB 12 are enacted and this bill is enacted last.

SB 61:**Sponsor:**

Senator Anthony Portantino (D-La Cañada Flintridge)

Operation:

This bill would, effective July 1, 2021, make the 30-day prohibition and the dealer delivery prohibition described above also applicable to semiautomatic centerfire rifles.

In short: prohibits the sale of a semiautomatic centerfire rifle to any person under 21 years of age, and applications to purchase more than one semiautomatic centerfire rifle in any 30-day period, with a few exceptions.

New Code Section:

This bill amends Section 26835 of the Penal Code.

SB 376: Gun Purchase Limits

Sponsor:

Senator Anthony Portantino (D-La Cañada Flintridge)

Operation:

This bill would redefine “infrequent” to mean less than 6 firearm transactions per calendar year, regardless of the type of firearm, and no more than 50 total firearms within those transactions.

This bill would extend that exemption to the transfer of a firearm to a trust beneficiary, as specified.

This bill would also exempt from the requirement specified transfers made by a formerly licensed dealer that is ceasing operations, transfers made to a specified government entity as part of a “gun-buyback” program, and transfers made by a person prohibited from possessing a firearm to a dealer for the purpose of storing that firearm.

In short: prevents individuals from selling large numbers of firearms without a license by capping the number of annual sales at five transactions or 50 firearms.

New Code Section:

This bill would make conforming changes to Section 11108.2 of the Penal Code that would be operative only if AB 1669 becomes operative.

This bill would make changes to Section 26556 of the Penal Code that would be operative only if AB 1009 becomes operative.

This bill would incorporate additional changes to Sections 27966 and 28230 of the Penal Code proposed by AB 1009 to be operative only if this bill and AB 1009 are enacted and this bill is enacted last.

AB 645:**Sponsor:**

Assemblymember Jacqui Irwin (D-Thousand Oaks)

Operation:

This bill would require, as of June 1, 2020, a specified statement regarding suicide prevention to be included on the firearm warning label, and to be posted on the premises of each licensed firearm dealer.

In short: requires packaging for firearms to contain a warning statement on suicide prevention.

New Code Section:

This bill amends Section 23640 of the Penal Code.

AB 879: Ghost Gun Regulation

Sponsor:

Assemblymember Mike Gipson (D-Carson)

Operation:

The bill would create the Firearm Precursor Parts Enforcement Special Fund and would allow the department to charge firearm precursor part purchasers and transferees a per transaction fee not to exceed \$1 to be deposited into the fund. The bill would continuously appropriate moneys in the fund to the department for the purposes of implementing, operating, and enforcing the firearm precursor part authorization program, thereby making an appropriation.

The bill would make it a misdemeanor to sell or give possession of a firearm precursor part to a person under 21 years of age. The bill would make it a misdemeanor for a person who is prohibited from possessing a firearm to possess a firearm precursor part. The bill would make it a misdemeanor to provide a firearm precursor part to a person who is prohibited from possessing firearm precursor parts. The bill would make it a misdemeanor to transfer a firearm precursor part without processing the transaction through a firearm precursor parts vendor. The bill would make it a misdemeanor to bring a firearm precursor part into the state without first having the part delivered to a licensed firearm precursor part vendor. By creating new crimes, this bill would impose a state-mandated local program.

In short: requires, starting in 2024, that the sale of firearms precursor parts be conducted through a licensed firearms precursor part vendor.

New Code Section:

This bill amends Section 16170 of the Penal Code.

AB 1669:

Sponsor:

Assemblymember Rob Bonta (D-Alameda)

Operation:

This bill would amend those provisions of law prescribing the rules and regulations for gun shows and events to be consistent with the sale of ammunition at gun shows and events as authorized by the Safety For All Act of 2016.

This bill would reduce the amount of the fee to \$1 and remove the authority of the department to spend the proceeds from the fee on specified regulatory costs related to the purchase, sale, and transfer of firearms, as specified. The bill would also authorize the department to charge an additional fee in the amount of \$31.19 per firearms-related transaction to cover the costs of its firearms-related regulatory and enforcement activities, as specified.

This bill would provide that no reimbursement is required by this act for a specified reason.

In short: updates existing law by applying the same gun show regulations that already apply to firearms dealers to ammunition vendors, and ensures that sufficient funding is available for firearm regulatory efforts.

New Code Section:

This bill amends Section 27205 of the Penal Code.

AB 1297:

Sponsor:

Assemblymember Kevin McCarty (D-Sacramento)

Operation:

This bill would require, rather than authorize, the local licensing authority to charge the fee and would require the fee to be in an amount equal to the reasonable costs for processing the application, issuing the license, and enforcing the license, as specified. The bill would delete the prohibition on charging more than \$100 for the fee.

In short: requires any local authority issuing concealed firearm licenses to charge an applicant a fee sufficient to cover the reasonable costs of processing, issuing and enforcement of the license, and eliminates the existing \$100 limit on processing fees for concealed firearm licenses.

New Code Section:

This bill amends Section 26190 of the Penal Code.

AB 893:**Sponsor:**

Assemblymember Todd Gloria (D-San Diego)

Operation:

This bill would, on and after January 1, 2021, prohibit the sale of firearms and ammunition at the Del Mar Fairgrounds property located in the 22nd District Agricultural Association, as specified, and would thereby make a violation of that prohibition a misdemeanor. The bill would exclude from its provisions a gun buyback event held by a law enforcement agency.

This bill would provide that no reimbursement is required by this act for a specified reason.

In short: prohibits the sale of firearms and ammunitions at the Del Mar Fairgrounds in the County of San Diego, the City of Del Mar, the City of San Diego.

New Code Section: NONE

AB 1548:**Sponsor:**

Assemblymember Jesse Gabriel (D-Encino)

Operation:

This bill would establish the California State Nonprofit Security Grant Program under the administration of the director to improve the physical security of nonprofit organizations that are at high risk of violent attacks or hate crimes due to ideology, beliefs, or mission, as specified. The bill would make the operation of the program contingent upon an appropriation in the annual Budget Act for these purposes. The bill would repeal those provisions on January 1, 2025.

This bill would declare that it is to take effect immediately as an urgency statute.

In short: codifies the California State Nonprofit Security Grant Program to improve the physical security of nonprofit organizations that are at high risk of violent attacks or hate crimes due to ideology, beliefs, or mission.

New Code Section:

Section 8588.9 is added to the Government Code

AB 1603: Cal VIP Grants Increased

Sponsor:

Assemblymember Buffy Wicks (D-Oakland)

Operation:

This bill would codify the establishment of the California Violence Intervention and Prevention Grant Program and the authority and duties of the board in administering the program, including the selection criteria for grants and reporting requirements to the Legislature. The bill would increase the maximum grant amount to \$1,500,000. This bill would repeal this program on January 1, 2025.

In short: codifies the California Violence Intervention and Prevention Grant Program to help reduce violence in communities that are disproportionately impacted by violence.

New Code Section:

Title 10.2 (commencing with Section 14130) is added to Part 4 of the Penal Code

AB 521:

Sponsor:

Assemblymember Marc Berman (D-Palo Alto)

Operation:

The bill would, upon adoption of a specified resolution by the Regents of the University of California, require the center to develop multifaceted education and training programs for medical and mental health providers on the prevention of firearm-related injury and death, as specified. The bill would, upon adoption of that resolution, require the university to report, on or before December 31, 2020, and annually thereafter, specified information regarding the activities of, and financial details relating to, the program. The bill would also make conforming changes.

In short: requires, with the adoption of a resolution by the University of California, the UC Firearm Violence Research Center at the University of California, Davis to develop multifaceted education and training programs for medical and mental health providers on the prevention of firearm-related injury and death.

New Code Section:

The heading of Chapter 1 (commencing with Section 14230) is added to Title 12.2 of Part 4 of the Penal Code.