

AMENDED IN SENATE JULY 17, 2007

AMENDED IN SENATE JUNE 28, 2007

AMENDED IN ASSEMBLY JUNE 1, 2007

AMENDED IN ASSEMBLY APRIL 12, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 362**

**Introduced by Assembly Member De Leon**

(Coauthor: Senator Scott)

February 14, 2007

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An act to amend Sections 11106, 12010, 12011, and 12012 of, to add Sections 12316.5 and 12318 to, and to add Article 3.5 (commencing with Section 12060) to Title 2 of Part 4 of, to, the Penal Code, relating to ammunition.

LEGISLATIVE COUNSEL'S DIGEST

AB 362, as amended, De Leon. Ammunition.

Existing law requires the Department of Justice *and the Attorney General* to maintain records pertaining to firearms transactions.

*This bill would require the Attorney General to prepare and submit to the Legislature, on or before January 1, 2009, a report on the feasibility of creating a system of licensing, registration, or both licensing and registration, of handgun ammunition sales.*

~~This bill would require the department to maintain additional information relating to ammunition transfers, handgun ammunition permittees, and licensed handgun ammunition vendors, as specified.~~

~~Existing law establishes the Prohibited Armed Persons File, which lists persons who are prohibited from possessing firearms, as specified.~~

~~This bill would expand those provisions to include persons prohibited from possessing ammunition.~~

~~Existing law generally regulates the sale of ammunition.~~

~~This bill would establish a program administered by the Department of Justice for licensing handgun ammunition vendors, as specified. The bill would also authorize the issuance of a handgun ammunition permit, to be used by purchasers of handgun ammunition, as specified.~~

~~The bill would authorize the Department of Justice to incorporate the permit information into a permittee's California driver's license, as specified.~~

~~The bill would establish a database maintained by the department to serve as a registry of handgun ammunition vendors. The bill would also establish a database of handgun ammunition permittees.~~

~~This bill would require that commencing July 1, 2008, unless specifically excluded, no person shall sell or transfer more than 50 rounds of handgun ammunition in any month unless they are registered as a handgun ammunition vendor, as defined. The bill would also require these vendors to obtain a background clearance for those employees who would handle ammunition in the course and scope of their employment. The bill would require the Department of Justice to maintain a registry of registered handgun ammunition vendors, as specified. Violation of these provisions, as specified, would be subject to civil fines, as specified.~~

~~The bill would also provide that no retail seller of ammunition shall sell, offer for sale, or display for sale, any handgun ammunition in a manner that allows that ammunition to be accessible to a purchaser without the assistance of the retailer or employee thereof. Violation of these provisions would be subject to civil fines, as specified.~~

~~The bill would further provide that handgun ammunition may only be purchased in a face-to-face transaction and only if certain conditions exist.~~

~~Existing law provides that it is a crime to sell ammunition to a minor, or to sell handgun ammunition to a person who is under 21 years of age.~~

~~This bill would provide that any person under 21 years of age who purchases, or who attempts to purchase, handgun ammunition by using a false identification document, or by otherwise misrepresenting the person's age, and any minor who purchases, or attempts to purchase, any ammunition by using a false identification document, or otherwise~~

~~misrepresenting the person's age, would be subject to civil fines, as specified.~~

~~Existing law generally regulates what information is required to be obtained in connection with the transfer of ammunition.~~

~~This bill would, subject to exceptions, require certain ammunition vendors to obtain a thumbprint and other information from ammunition purchasers, and would require submission of that information to the Department of Justice, as specified. A violation of these provisions would be subject to civil fines, as specified.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. The Attorney General shall prepare and submit*  
2     *to the Legislature, on or before January 1, 2009, a report on the*  
3     *feasibility of creating a system of licensing or registration of, or*  
4     *both licensing and registration of, handgun ammunition sales.*

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**All matter omitted in this version of the bill  
appears in the bill as amended in Senate,  
June 28, 2007 (JR11)**