

Assembly Bill No. 714

CHAPTER 121

An act to amend Section 12020.1 of the Penal Code, relating to composite knuckles.

[Approved by Governor August 5, 2009. Filed with
Secretary of State August 6, 2009.]

LEGISLATIVE COUNSEL'S DIGEST

AB 714, Feuer. Composite knuckles.

Existing law provides that it is a misdemeanor for any person to commercially manufacture or cause to be commercially manufactured, or to knowingly import into the state for commercial sale, keep for commercial sale, or offer or expose for commercial sale, any hard plastic knuckles or hard wooden knuckles, as defined.

This bill would expand the prohibition described above to include possession of those items. The bill would also revise the elements of the offense by replacing the term "plastic knuckles" with "composite knuckles," as defined.

By expanding the scope of an existing crime, 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.

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

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

SECTION 1. Section 12020.1 of the Penal Code is amended to read:

12020.1. Any person in this state who possesses, commercially manufactures or causes to be commercially manufactured, or who knowingly imports into the state for commercial sale, keeps for commercial sale, or offers or exposes for commercial sale, any composite knuckles or hard wooden knuckles is guilty of a misdemeanor. As used in this section, "composite knuckles" means any device or instrument made wholly or partially of composite materials, other than a medically prescribed prosthetic, that is not a metal knuckle as defined in paragraph (7) of subdivision (c) of Section 12020, that is worn for purposes of offense or defense in or on the hand, and that either protects the wearer's hand while striking a blow or increases the force of impact from the blow or injury to the individual receiving the blow. As used in this section, "hard wooden knuckles" means

any device or instrument made wholly or partially of wood or paper products that is not a metal knuckle as defined in paragraph (7) of subdivision (c) of Section 12020, that is worn for purposes of offense or defense in or on the hand, and that either protects the wearer's hand while striking a blow, or increases the force of impact from the blow or injury to the individual receiving the blow. The composite materials, wood, or paper products contained in the device may help support the hand or fist, provide a shield to protect it, or consist of projections or studs that would contact the individual receiving a blow.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.