

Senate Bill No. 585

Passed the Senate September 10, 2009

Secretary of the Senate

Passed the Assembly September 9, 2009

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2009, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 4132 to the Food and Agricultural Code, relating to Agricultural District 1-A.

LEGISLATIVE COUNSEL'S DIGEST

SB 585, Leno. Agricultural District 1-A: firearm sales at the Cow Palace.

Existing law generally regulates the transfer of firearms and divides the state into agricultural districts. District 1-A is the County of San Mateo and the City and County of San Francisco. A violation of statutes governing agricultural districts is a misdemeanor.

This bill would prohibit events at which firearms and ammunition are sold at the Cow Palace, as specified, located in District 1-A, except as provided, and would thereby make a violation of that prohibition a misdemeanor. The bill would authorize up to 5 of those events per year for 3 years and would require the district to replace those events with nonfirearm and nonammunition events, as provided.

By creating a new 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 4132 is added to the Food and Agricultural Code, to read:

4132. (a) Notwithstanding any other provision of law, and except as provided in subdivision (b), no officer, employee, operator, or any lessee of District 1-A as defined in Section 3853 may contract for, authorize, or allow an event at which any firearm or ammunition is sold on the property or in the buildings that

comprise the Cow Palace property in San Mateo County and the City and County of San Francisco or any successor or additional property owned, leased, or otherwise occupied or operated by the district.

(b) Notwithstanding subdivision (a), no more than five events as described in subdivision (a) shall be authorized or allowed per year on Cow Palace property for 2010, 2011, and 2012. Commencing January 1, 2013, no event described in subdivision (a) shall be authorized or allowed on Cow Palace property. The district shall replace those events with nonfirearm or nonammunition related events.

(c) For purposes of this section:

(1) The definition of “firearm” means the term as included in subdivisions (b), (c), and (d) of Section 12001 of the Penal Code.

(2) The term “ammunition” includes assembled ammunition for use in a firearm and components of ammunition including smokeless and black powder, and any projectile capable of being fired from a firearm with deadly consequence.

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.

Approved _____, 2009

Governor