

**ASSEMBLY BILL**

**No. 2615**

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**Introduced by Assembly Member Jones  
(Coauthors: Assembly Members Cook, Donnelly, Nielsen, Olsen,  
and Valadao)**

February 24, 2012

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An act to amend Sections 26150 and 26155 of the Penal Code, relating to concealed weapons.

LEGISLATIVE COUNSEL'S DIGEST

AB 2615, as introduced, Jones. Concealed weapons.

Existing law authorizes the sheriff of a county or the chief or other head of a municipal police department of any city or city and county to issue a license to carry a concealed firearm to an applicant for that license if the applicant is of good moral character, good cause exists for issuance of the license, the applicant meets specified residency requirements, and the applicant has completed a specified course of training, including firearm safety.

This bill would require the sheriff or head of a municipal police department to issue that license if the applicant meets those requirements. The bill would also specify that good cause, for purposes of these provisions, includes personal protection or self-defense. Because the bill would impose new duties on local law enforcement officials who will be required to issue these licenses if all of the requirements are met, the 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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 SECTION 1. Section 26150 of the Penal Code is amended to  
2 read:

3 26150. (a) When a person applies for a license to carry a pistol,  
4 revolver, or other firearm capable of being concealed upon the  
5 person, the sheriff of a county ~~may~~ *shall* issue a license to that  
6 person upon proof of all of the following:

7 (1) The applicant is of good moral character.

8 (2) (A) Good cause exists for issuance of the license.

9 (B) *For purposes of this subdivision, "good cause" includes,*  
10 *but is not limited to, personal protection or self-defense.*

11 (3) The applicant is a resident of the county or a city within the  
12 county, or the applicant's principal place of employment or  
13 business is in the county or a city within the county and the  
14 applicant spends a substantial period of time in that place of  
15 employment or business.

16 (4) The applicant has completed a course of training as described  
17 in Section 26165.

18 (b) The sheriff may issue a license under subdivision (a) in  
19 either of the following formats:

20 (1) A license to carry concealed a pistol, revolver, or other  
21 firearm capable of being concealed upon the person.

22 (2) ~~Where~~ *If* the population of the county is less than 200,000  
23 persons according to the most recent federal decennial census, a  
24 license to carry loaded and exposed in only that county a pistol,  
25 revolver, or other firearm capable of being concealed upon the  
26 person.

27 SEC. 2. Section 26155 of the Penal Code is amended to read:

28 26155. (a) When a person applies for a license to carry a pistol,  
29 revolver, or other firearm capable of being concealed upon the  
30 person, the chief or other head of a municipal police department

1 of any city or city and county ~~may~~ *shall* issue a license to that  
2 person upon proof of all of the following:

- 3 (1) The applicant is of good moral character.
- 4 (2) (A) Good cause exists for issuance of the license.
- 5 (B) *For purposes of this subdivision, "good cause" includes,*  
6 *but is not limited to, personal protection or self-defense.*
- 7 (3) The applicant is a resident of that city.
- 8 (4) The applicant has completed a course of training as described  
9 in Section 26165.

10 (b) The chief or other head of a municipal police department  
11 may issue a license under subdivision (a) in either of the following  
12 formats:

- 13 (1) A license to carry concealed a pistol, revolver, or other  
14 firearm capable of being concealed upon the person.
- 15 (2) ~~Where~~ *If* the population of the county in which the city is  
16 located is less than 200,000 persons according to the most recent  
17 federal decennial census, a license to carry loaded and exposed in  
18 only that county a pistol, revolver, or other firearm capable of  
19 being concealed upon the person.

20 (c) Nothing in this chapter shall preclude the chief or other head  
21 of a municipal police department of any city from entering an  
22 agreement with the sheriff of the county in which the city is located  
23 for the sheriff to process all applications for licenses, renewals of  
24 licenses, and amendments to licenses, pursuant to this chapter.

25 SEC. 3. If the Commission on State Mandates determines that  
26 this act contains costs mandated by the state, reimbursement to  
27 local agencies and school districts for those costs shall be made  
28 pursuant to Part 7 (commencing with Section 17500) of Division  
29 4 of Title 2 of the Government Code.