

AMENDED IN ASSEMBLY MAY 2, 2013
AMENDED IN ASSEMBLY MARCH 19, 2013
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 180

Introduced by Assembly Member Bonta

January 24, 2013

An act to amend Section 53071 of the Government Code, *and to amend Section 25605 of the Penal Code*, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 180, as amended, Bonta. Registration and licensing of firearms: exclusive regulation by the Legislature.

Existing law states the intention of the Legislature to occupy the whole field of regulation of registration or licensing of commercially manufactured firearms as encompassed by the Penal Code to the exclusion of all local regulations.

This bill would provide an exception to those provisions by authorizing the City of Oakland to enact ~~and enforce~~ an ordinance or regulation that is more restrictive than state law regulating the registration or licensing of commercially manufactured firearms as encompassed by the Penal Code *and make conforming changes*.

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

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

- 1 SECTION 1. Section 53071 of the Government Code is
- 2 amended to read:

1 53071. (a) It is the intention of the Legislature to occupy the
2 whole field of regulation of the registration or licensing of
3 commercially manufactured firearms as encompassed by the
4 provisions of the Penal Code, and such provisions shall be
5 exclusive of all local regulations, relating to registration or
6 licensing of commercially manufactured firearms, by any political
7 subdivision as defined in Section 1721 of the Labor Code.

8 (b) Notwithstanding subdivision (a), the City of Oakland may
9 enact ~~and enforce~~ an ordinance or regulation that is more restrictive
10 than state law regulating the registration or licensing of
11 commercially manufactured firearms as encompassed by the Penal
12 Code.

13 *SEC. 2. Section 25605 of the Penal Code is amended to read:*

14 25605. (a) Section 25400 and Chapter 6 (commencing with
15 Section 26350) of Division 5 shall not apply to or affect any citizen
16 of the United States or legal resident over the age of 18 years who
17 resides or is temporarily within this state, and who is not within
18 the excepted classes prescribed by Chapter 2 (commencing with
19 Section 29800) or Chapter 3 (commencing with Section 29900)
20 of Division 9 of this title, or Section 8100 or 8103 of the Welfare
21 and Institutions Code, who carries, either openly or concealed,
22 anywhere within the citizen's or legal resident's place of residence,
23 place of business, or on private property owned or lawfully
24 possessed by the citizen or legal resident, any handgun.

25 (b) ~~No~~A permit or license to purchase, own, possess, keep, or
26 carry, either openly or concealed, shall *not* be required of any
27 citizen of the United States or legal resident over the age of 18
28 years who resides or is temporarily within this state, and who is
29 not within the excepted classes prescribed by Chapter 2
30 (commencing with Section 29800) or Chapter 3 (commencing with
31 Section 29900) of Division 9 of this title, or Section 8100 or 8103
32 of the Welfare and Institutions Code, to purchase, own, possess,
33 keep, or carry, either openly or concealed, a handgun within the
34 citizen's or legal resident's place of residence, place of business,
35 or on private property owned or lawfully possessed by the citizen
36 or legal resident.

37 (c) ~~Nothing in this~~*This* section shall *not* be construed as
38 affecting the application of Sections 25850 to 26055, inclusive.

1 *(d) This section shall not be construed as affecting the*
2 *application of subdivision (b) of Section 53071 of the Government*
3 *Code.*

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