

AMENDED IN ASSEMBLY APRIL 10, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1020

Introduced by Assembly Member Bonta

February 22, 2013

An act to add Section 29310 to the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

AB 1020, as amended, Bonta. Firearms: letter to purchasers.

~~Existing law prohibits a firearm from being delivered within 10 days of the application to purchase, or, after notice by the Department of Justice, within 10 days of the submission to the department of any correction to the application, or within 10 days of the submission to the department of a required fee, whichever is later.~~

Existing law requires the Department of Justice to develop a pamphlet that summarizes California firearms laws, and to offer copies of the pamphlet to firearms dealers for sale to retail purchasers or transferees of firearms.

This bill would require the Attorney General to send a letter ~~during the 10-day waiting period~~ to each individual who has applied to purchase a firearm informing him or her of ~~firearms~~ laws relating to *firearms*, gun trafficking, and safe storage, as provided.

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. Section 29310 is added to the Penal Code, to
- 2 read:

1 ~~29310. During the 10-day waiting period following an~~
2 ~~application to purchase a firearm required pursuant to Sections~~
3 ~~27540 and 26815, the Attorney General shall send a letter to each~~
4 ~~individual who has applied to purchase a firearm, informing him~~
5 ~~or her of firearms laws relating to gun trafficking and safe storage,~~
6 ~~including the following:~~

7 *29310. (a) Within 10 days of submission of any application*
8 *to purchase a firearm, as defined in Section 16190, the Attorney*
9 *General shall send a notice to the individual who made the*
10 *application, informing him or her of laws relating to firearms, gun*
11 *trafficking, and safe storage.*

12 *(b) The notice shall include all of the following:*

13 ~~(a) That~~

14 *(1) California law generally requires that all firearms transfers*
15 *be conducted through licensed dealers as provided in Section*
16 *27545.*

17 *(2) Any exceptions to the requirement that firearms transfers*
18 *be conducted through a dealer have strict limits.*

19 *(3) California law has strict limits on the loaning of firearms,*
20 *and on the conditions and circumstances under which a firearm*
21 *may be loaned to another person.*

22 ~~(b) That~~

23 *(4) California law prohibits any person, corporation, or dealer*
24 *from selling, loaning, or transferring a firearm to anyone who is*
25 *not the actual purchaser or transferee of the firearm as provided*
26 *in Section 27515.*

27 ~~(e) That storage~~

28 *(5) Storage of a firearm where children are likely to gain access*
29 *is a criminal offense as provided in Sections 25100 and 25110 if*
30 *the child obtains access and thereby causes death or injury.*

31 *(6) It is a felony under both state and federal law, punishable*
32 *by imprisonment in state or federal prison, to acquire a firearm*
33 *for another person who is prohibited by law from purchasing the*
34 *firearm himself or herself. These transactions are sometimes known*
35 *as a “straw purchase” or “straw acquisition.”*

36 *(7) Cases in which a firearm is found in the possession of a*
37 *person other than the registered owner are fully investigated, and*
38 *in cases where violations are discovered, they are prosecuted to*
39 *the fullest extent of the law by both state and federal authorities.*

- 1 (c) *The notice shall also contain information about how to obtain*
- 2 *additional information from the Department of Justice, including*
- 3 *the department's Internet Web site.*

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