

AMENDED IN ASSEMBLY APRIL 25, 2013

AMENDED IN ASSEMBLY APRIL 10, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1020

Introduced by Assembly Member Bonta
(Coauthor: Assembly Member Skinner)

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~~ *notice* to purchasers.

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~~ *notice* to each individual who has applied to purchase a firearm informing him or her of laws relating to firearms, gun trafficking, and safe storage, as provided. *The bill would require the notice to include a link to a page on the Department of Justice's Internet Web site containing a summary of state firearm laws, which the bill would require the department to prepare and annually update.*

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:

3 29310. (a) Within 10 days of submission of any application
4 to purchase a firearm, as defined in Section 16190, the Attorney
5 General shall send a notice to the individual who made the
6 application, informing him or her of laws relating to firearms, gun
7 trafficking, and safe storage.

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

9 (1) California law generally requires that all firearms transfers
10 be conducted through licensed dealers as provided in Section
11 27545.

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

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

17 (4) California law prohibits any person, corporation, or dealer
18 from selling, loaning, or transferring a firearm to anyone who is
19 not the actual purchaser or transferee of the firearm as provided
20 in Section 27515.

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

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

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

33 (c) The notice shall also contain information about how to obtain
34 additional information from the Department of Justice, including
35 the department’s Internet Web site.

36 (d) *The notice shall also include a link to a page on the*
37 *Department of Justice’s Internet Web site containing a summary*

- 1 *of state firearm laws, which the department shall prepare and*
- 2 *annually update.*

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