

AMENDED IN ASSEMBLY JUNE 5, 2014  
AMENDED IN ASSEMBLY SEPTEMBER 10, 2013  
AMENDED IN ASSEMBLY SEPTEMBER 6, 2013  
AMENDED IN ASSEMBLY SEPTEMBER 3, 2013  
AMENDED IN ASSEMBLY JUNE 27, 2013  
AMENDED IN SENATE MAY 28, 2013  
AMENDED IN SENATE APRIL 1, 2013  
AMENDED IN SENATE MARCH 21, 2013

**SENATE BILL**

**No. 53**

---

**Introduced by Senator De León**  
**(~~Principal coauthor: Senator Yee~~)**  
(Principal coauthor: Assembly Member Skinner)  
**(Coauthors: Senators Leno and Steinberg)**  
(Coauthor: Assembly Member Ting)

December 20, 2012

---

An act to amend Sections 11106, 17315, 30000, 30005, 30312, 30345, 30347, 30350, 30352, and 30365 of, to amend the heading of Article 3 (commencing with Section 30345) of Chapter 1 of Division 10 of Title 4 of Part 6 of, to add Sections 16663 and 30348 to, to add Article 4 (commencing with Section 30370) to Chapter 1 of Division 10 of Title 4 of Part 6 of, to add Article 5 (commencing with Section 30380) to Chapter 1 of Division 10 of Title 4 of Part 6 of, and to repeal Section 30355 of, the Penal Code, relating to ammunition.

## LEGISLATIVE COUNSEL'S DIGEST

SB 53, as amended, De León. Ammunition: purchase permits.

(1) Existing law requires the Attorney General to maintain records, including among other things, fingerprints, licenses to carry concealed firearms, and information from firearms dealers pertaining to firearms, for purposes of assisting in the investigation of crimes, and specified civil actions.

This bill would require the Attorney General to also maintain copies of ammunition purchase permits, information about ammunition transactions, as specified, and ammunition vendor licenses, as specified, for those purposes.

(2) Existing law establishes the Prohibited Armed Persons File, the purpose of which is to cross-reference persons prohibited from possessing firearms with records of firearm transactions to determine if these persons have acquired or attempted to acquire firearms. Under existing law, a person who is prohibited from owning or possessing a firearm is prohibited from owning, possessing, or having under his or her custody or control, any ammunition or reloaded ammunition.

This bill would, commencing July 1, ~~2015~~ 2016, use the Prohibited Armed Persons File to cross-reference those persons with records of ammunition transactions to determine if these persons have acquired or attempted to acquire ammunition.

(3) Existing law, subject to exceptions, requires that the delivery or transfer of ownership of handgun ammunition occur only in a face-to-face transaction and makes a violation of this requirement a crime. Existing law provides that the term “vendor” for purposes of ammunition sales is a “handgun ammunition vendor” as defined for those and other purposes.

This bill would extend those provisions to any ammunition. The bill would provide that the term “vendor” for purposes of ammunition sales means “ammunition vendor,” and, commencing July 1, ~~2015~~ 2016, who is licensed, as specified, for those and other purposes. The bill would provide that commencing July 1, ~~2015~~ 2016, only a licensed ammunition vendor may sell ammunition. The bill would create an additional exemption from these requirements for specified events conducted by a nonprofit entity, as specified, and would make additional conforming changes.

(4) Existing law prohibits an ammunition vendor from allowing a person the vendor knows or should know is a person who is prohibited

from possessing firearms for specified reasons, from handling, selling, or delivering handgun ammunition in the course and scope of their employment. Existing law prohibits an ammunition vendor from selling or otherwise transferring ownership of, offering for sale or otherwise offering to transfer ownership of, or displaying for sale or displaying for transfer of ownership of, any handgun ammunition in a manner that allows that ammunition to be accessible to a purchaser or transferee without the assistance of the vendor or an employee of the vendor.

This bill would extend those prohibitions to any ammunition. The bill would provide that a violation of those provisions is a misdemeanor.

By creating a new crime, this bill would impose a state-mandated local program.

(5) Existing law requires ammunition vendors to maintain ammunition transaction records, as specified, on the vendor's premises for a period of 5 years.

This bill would repeal the provisions requiring ammunition transaction records be maintained for 5 years by the vendor.

(6) Existing law subject to exceptions, requires a handgun ammunition vendor to record specified information at the time of delivery of handgun ammunition to a purchaser, as specified.

This bill would extend those provisions to transactions of any ammunition and would, commencing July 1, ~~2015~~ 2016, require the ammunition vendor to submit that information to the department, as specified. The bill would, commencing July 1, ~~2016~~ 2017, and subject to exceptions, require the purchaser of ammunition to be authorized to purchase ammunition by the Department of Justice, as specified. The bill would, commencing January 1, ~~2016~~ 2017, authorize issuance of ammunition purchase authorizations by the Department of Justice to applicants who are at least 18 years of age, not prohibited from acquiring or possessing ammunition, and who pay the required fees, as specified. The bill would establish an application process and establish a centralized list of persons authorized to purchase ammunition.

(7) The bill would authorize the Department of Justice to accept applications for ammunition vendor licenses, commencing January 1, ~~2015~~ 2016. The bill would require an ammunition vendor to be licensed, commencing July 1, ~~2015~~ 2016, in order to sell ammunition. Violation of these provisions would be a misdemeanor. The bill would create an application process for ammunition vendors, as specified. The bill would establish the Ammunition Vendors Special Account, into which vendor license fees would be deposited and made available, upon appropriation

by the Legislature, to the Department of Justice for purposes of enforcing the ammunition vendor licensing provisions. The bill would require the ammunition vendor to conduct business at the location specified in the license, except in the case of gun shows or events, as specified. The bill would require the Attorney General to prepare and submit to the Legislature on or before July 1, ~~2016~~ 2017, a report concerning, among other things, recommendations for enhancements that could be made to the background check system, as specified.

By creating a new crime, this bill would impose a state-mandated local program.

(8) The bill would provide that for the provisions discussed above, as specified, “ammunition” does not include blanks.

~~(9) This bill would incorporate additional changes to Section 11106 of the Penal Code, proposed by AB 500 and AB 539, that would become operative only if this bill and either or both of those bills are chaptered and become effective January 1, 2014, and this bill is chaptered last.~~

~~(10)~~

(9) 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.

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 11106 of the Penal Code, as added by~~  
2     ~~Section 2.5 of Chapter 745 of the Statutes of 2011, is amended to~~  
3     ~~read:~~  
4     ~~11106. (a) In order to assist in the investigation of crime, the~~  
5     ~~prosecution of civil actions by city attorneys pursuant to paragraph~~  
6     ~~(3) of subdivision (b), the arrest and prosecution of criminals, and~~  
7     ~~the recovery of lost, stolen, or found property, the Attorney General~~  
8     ~~shall keep and properly file a complete record of all copies of~~  
9     ~~fingerprints, copies of licenses to carry firearms issued pursuant~~  
10    ~~to Section 26150, 26155, 26170, or 26215, information reported~~  
11    ~~to the Department of Justice pursuant to Section 26225, copies of~~  
12    ~~ammunition purchaser authorizations pursuant to Section 30370,~~  
13    ~~ammunition vendor license information pursuant to Article 5~~

~~(commencing with Section 30380) of Chapter 1 of Division 10 of Title 4 of Part 6, information required by Section 30352, dealers' records of sales of firearms, reports provided pursuant to Article 1 (commencing with Section 27500) of Chapter 4 of Division 6 of Title 4 of Part 6, or pursuant to any provision listed in subdivision (a) of Section 16585, forms provided pursuant to Section 12084, as that section read prior to being repealed, reports provided pursuant to Article 1 (commencing with Section 26700) and Article 2 (commencing with Section 26800) of Chapter 2 of Division 6 of Title 4 of Part 6, that are not dealers' records of sales of firearms, and reports of stolen, lost, found, pledged, or pawned property in any city or county of this state, and shall, upon proper application therefor, furnish this information to the officers referred to in Section 11105.~~

~~(b) (1) The Attorney General shall permanently keep and properly file and maintain all information reported to the Department of Justice pursuant to the following provisions as to firearms and maintain a registry thereof:~~

~~(A) Article 1 (commencing with Section 26700) and Article 2 (commencing with Section 26800) of Chapter 2 of Division 6 of Title 4 of Part 6.~~

~~(B) Article 1 (commencing with Section 27500) of Chapter 4 of Division 6 of Title 4 of Part 6.~~

~~(C) Chapter 5 (commencing with Section 28050) of Division 6 of Title 4 of Part 6.~~

~~(D) Any provision listed in subdivision (a) of Section 16585.~~

~~(E) Former Section 12084.~~

~~(F) Any other law.~~

~~(2) The registry shall consist of all of the following:~~

~~(A) The name, address, identification of, place of birth (state or country), complete telephone number, occupation, sex, description, and all legal names and aliases ever used by the owner or person being loaned the particular firearm as listed on the information provided to the department on the Dealers' Record of Sale, the Law Enforcement Firearms Transfer (LEFT), as defined in former Section 12084, or reports made to the department pursuant to any provision listed in subdivision (a) of Section 16585 or any other law.~~

~~(B) The name and address of, and other information about, any person (whether a dealer or a private party) from whom the owner~~

1 ~~acquired or the person being loaned the particular firearm and~~  
2 ~~when the firearm was acquired or loaned as listed on the~~  
3 ~~information provided to the department on the Dealers' Record of~~  
4 ~~Sale, the LEFT, or reports made to the department pursuant to any~~  
5 ~~provision listed in subdivision (a) of Section 16585 or any other~~  
6 ~~law.~~

7 ~~(C) Any waiting period exemption applicable to the transaction~~  
8 ~~which resulted in the owner of or the person being loaned the~~  
9 ~~particular firearm acquiring or being loaned that firearm.~~

10 ~~(D) The manufacturer's name if stamped on the firearm, model~~  
11 ~~name or number if stamped on the firearm, and, if applicable, the~~  
12 ~~serial number, other number (if more than one serial number is~~  
13 ~~stamped on the firearm), caliber, type of firearm, if the firearm is~~  
14 ~~new or used, barrel length, and color of the firearm, or, if the~~  
15 ~~firearm is not a handgun and does not have a serial number or any~~  
16 ~~identification number or mark assigned to it, that shall be noted.~~

17 ~~(3) Information in the registry referred to in this subdivision~~  
18 ~~shall, upon proper application therefor, be furnished to the officers~~  
19 ~~referred to in Section 11105, to a city attorney prosecuting a civil~~  
20 ~~action, solely for use in prosecuting that civil action and not for~~  
21 ~~any other purpose, or to the person listed in the registry as the~~  
22 ~~owner or person who is listed as being loaned the particular firearm.~~

23 ~~(4) If any person is listed in the registry as the owner of a firearm~~  
24 ~~through a Dealers' Record of Sale prior to 1979, and the person~~  
25 ~~listed in the registry requests by letter that the Attorney General~~  
26 ~~store and keep the record electronically, as well as in the record's~~  
27 ~~existing photographic, photostatic, or nonerasable optically stored~~  
28 ~~form, the Attorney General shall do so within three working days~~  
29 ~~of receipt of the request. The Attorney General shall, in writing,~~  
30 ~~and as soon as practicable, notify the person requesting electronic~~  
31 ~~storage of the record that the request has been honored as required~~  
32 ~~by this paragraph.~~

33 ~~(e) (1) Any officer referred to in paragraphs (1) to (6), inclusive,~~  
34 ~~of subdivision (b) of Section 11105 may disseminate the name of~~  
35 ~~the subject of the record, the number of the firearms listed in the~~  
36 ~~record, and the description of any firearm, including the make,~~  
37 ~~model, and caliber, from the record relating to any firearm's sale,~~  
38 ~~transfer, registration, or license record, or any information reported~~  
39 ~~to the Department of Justice pursuant to Section 26225, Article 1~~  
40 ~~(commencing with Section 26700) and Article 2 (commencing~~

1 with Section 26800) of Chapter 2 of Division 6 of Title 4 of Part  
2 6, Article 1 (commencing with Section 27500) of Chapter 4 of  
3 Division 6 of Title 4 of Part 6, Chapter 5 (commencing with  
4 Section 28050) of Division 6 of Title 4 of Part 6, Article 2  
5 (commencing with Section 28150) of Chapter 6 of Division 6 of  
6 Title 4 of Part 6, Article 5 (commencing with Section 30900) of  
7 Chapter 2 of Division 10 of Title 4 of Part 6, Chapter 2  
8 (commencing with Section 33850) of Division 11 of Title 4 of Part  
9 6, or any provision listed in subdivision (a) of Section 16585, if  
10 the following conditions are met:

11 (A) The subject of the record has been arraigned for a crime in  
12 which the victim is a person described in subdivisions (a) to (f),  
13 inclusive, of Section 6211 of the Family Code and is being  
14 prosecuted or is serving a sentence for the crime, or the subject of  
15 the record is the subject of an emergency protective order, a  
16 temporary restraining order, or an order after hearing, which is in  
17 effect and has been issued by a family court under the Domestic  
18 Violence Protection Act set forth in Division 10 (commencing  
19 with Section 6200) of the Family Code.

20 (B) The information is disseminated only to the victim of the  
21 crime or to the person who has obtained the emergency protective  
22 order, the temporary restraining order, or the order after hearing  
23 issued by the family court.

24 (C) Whenever a law enforcement officer disseminates the  
25 information authorized by this subdivision, that officer or another  
26 officer assigned to the case shall immediately provide the victim  
27 of the crime with a “Victims of Domestic Violence” card, as  
28 specified in subparagraph (H) of paragraph (9) of subdivision (c)  
29 of Section 13701.

30 (2) The victim or person to whom information is disseminated  
31 pursuant to this subdivision may disclose it as he or she deems  
32 necessary to protect himself or herself or another person from  
33 bodily harm by the person who is the subject of the record.

34 (d) This section shall become operative January 1, 2014.

35 SEC. 1.1. Section 11106 of the Penal Code, as added by Section  
36 2.5 of Chapter 745 of the Statutes of 2011, is amended to read:

37 11106. (a) In order to assist in the investigation of crime, the  
38 prosecution of civil actions by city attorneys pursuant to paragraph  
39 (3) of subdivision (b), the arrest and prosecution of criminals, and  
40 the recovery of lost, stolen, or found property, the Attorney General

1 shall keep and properly file a complete record of all copies of  
2 fingerprints, copies of licenses to carry firearms issued pursuant  
3 to Section 26150, 26155, 26170, or 26215, information reported  
4 to the Department of Justice pursuant to Section 26225, copies of  
5 ammunition purchaser authorizations pursuant to Section 30370,  
6 ammunition vendor license information pursuant to Article 5  
7 (commencing with Section 30380) of Chapter 1 of Division 10 of  
8 Title 4 of Part 6, information required by Section 30352, dealers'  
9 records of sales of firearms, reports provided pursuant to Article  
10 1 (commencing with Section 27500) of Chapter 4 of Division 6  
11 of Title 4 of Part 6, or pursuant to any provision listed in  
12 subdivision (a) of Section 16585, forms provided pursuant to  
13 Section 12084, as that section read prior to being repealed, reports  
14 provided pursuant to Article 1 (commencing with Section 26700)  
15 and Article 2 (commencing with Section 26800) of Chapter 2 of  
16 Division 6 of Title 4 of Part 6, that are not dealers' records of sales  
17 of firearms, information provided pursuant to Section 28255, and  
18 reports of stolen, lost, found, pledged, or pawned property in any  
19 city or county of this state, and shall, upon proper application  
20 therefor, furnish this information to the officers referred to in  
21 Section 11105.

22 (b) (1) The Attorney General shall permanently keep and  
23 properly file and maintain all information reported to the  
24 Department of Justice pursuant to the following provisions as to  
25 firearms and maintain a registry thereof:

26 (A) Article 1 (commencing with Section 26700) and Article 2  
27 (commencing with Section 26800) of Chapter 2 of Division 6 of  
28 Title 4 of Part 6.

29 (B) Article 1 (commencing with Section 27500) of Chapter 4  
30 of Division 6 of Title 4 of Part 6.

31 (C) Chapter 5 (commencing with Section 28050) of Division 6  
32 of Title 4 of Part 6.

33 (D) Any provision listed in subdivision (a) of Section 16585.

34 (E) Former Section 12084.

35 (F) Section 28255.

36 (G) Any other law.

37 (2) The registry shall consist of all of the following:

38 (A) The name, address, identification of, place of birth (state  
39 or country), complete telephone number, occupation, sex,  
40 description, and all legal names and aliases ever used by the owner



1 or person being loaned the particular firearm as listed on the  
2 information provided to the department on the Dealers' Record of  
3 Sale, the Law Enforcement Firearms Transfer (LEFT), as defined  
4 in former Section 12084, or reports made to the department  
5 pursuant to any provision listed in subdivision (a) of Section 16585,  
6 Section 28255, or any other law.

7 (B) The name and address of, and other information about, any  
8 person (whether a dealer or a private party) from whom the owner  
9 acquired or the person being loaned the particular firearm and  
10 when the firearm was acquired or loaned as listed on the  
11 information provided to the department on the Dealers' Record of  
12 Sale, the LEFT, or reports made to the department pursuant to any  
13 provision listed in subdivision (a) of Section 16585 or any other  
14 law.

15 (C) Any waiting period exemption applicable to the transaction  
16 which resulted in the owner of or the person being loaned the  
17 particular firearm acquiring or being loaned that firearm.

18 (D) The manufacturer's name if stamped on the firearm, model  
19 name or number if stamped on the firearm, and, if applicable, the  
20 serial number, other number (if more than one serial number is  
21 stamped on the firearm), caliber, type of firearm, if the firearm is  
22 new or used, barrel length, and color of the firearm, or, if the  
23 firearm is not a handgun and does not have a serial number or any  
24 identification number or mark assigned to it, that shall be noted.

25 (3) Information in the registry referred to in this subdivision  
26 shall, upon proper application therefor, be furnished to the officers  
27 referred to in Section 11105, to a city attorney prosecuting a civil  
28 action, solely for use in prosecuting that civil action and not for  
29 any other purpose, or to the person listed in the registry as the  
30 owner or person who is listed as being loaned the particular firearm.

31 (4) If any person is listed in the registry as the owner of a firearm  
32 through a Dealers' Record of Sale prior to 1979, and the person  
33 listed in the registry requests by letter that the Attorney General  
34 store and keep the record electronically, as well as in the record's  
35 existing photographic, photostatic, or nonerasable optically stored  
36 form, the Attorney General shall do so within three working days  
37 of receipt of the request. The Attorney General shall, in writing,  
38 and as soon as practicable, notify the person requesting electronic  
39 storage of the record that the request has been honored as required  
40 by this paragraph.

~~(e) (1) Any officer referred to in paragraphs (1) to (6), inclusive, of subdivision (b) of Section 11105 may disseminate the name of the subject of the record, the number of the firearms listed in the record, and the description of any firearm, including the make, model, and caliber, from the record relating to any firearm's sale, transfer, registration, or license record, or any information reported to the Department of Justice pursuant to Section 26225, Article 1 (commencing with Section 26700) and Article 2 (commencing with Section 26800) of Chapter 2 of Division 6 of Title 4 of Part 6, Article 1 (commencing with Section 27500) of Chapter 4 of Division 6 of Title 4 of Part 6, Chapter 5 (commencing with Section 28050) of Division 6 of Title 4 of Part 6, Article 2 (commencing with Section 28150) of Chapter 6 of Division 6 of Title 4 of Part 6, Article 5 (commencing with Section 30900) of Chapter 2 of Division 10 of Title 4 of Part 6, Chapter 2 (commencing with Section 33850) of Division 11 of Title 4 of Part 6, or any provision listed in subdivision (a) of Section 16585, if the following conditions are met:~~

~~(A) The subject of the record has been arraigned for a crime in which the victim is a person described in subdivisions (a) to (f), inclusive, of Section 6211 of the Family Code and is being prosecuted or is serving a sentence for the crime, or the subject of the record is the subject of an emergency protective order, a temporary restraining order, or an order after hearing, which is in effect and has been issued by a family court under the Domestic Violence Protection Act set forth in Division 10 (commencing with Section 6200) of the Family Code.~~

~~(B) The information is disseminated only to the victim of the crime or to the person who has obtained the emergency protective order, the temporary restraining order, or the order after hearing issued by the family court.~~

~~(C) Whenever a law enforcement officer disseminates the information authorized by this subdivision, that officer or another officer assigned to the case shall immediately provide the victim of the crime with a "Victims of Domestic Violence" card, as specified in subparagraph (H) of paragraph (9) of subdivision (e) of Section 13701.~~

~~(2) The victim or person to whom information is disseminated pursuant to this subdivision may disclose it as he or she deems~~

1 necessary to protect himself or herself or another person from  
2 bodily harm by the person who is the subject of the record.

3 ~~SEC. 1.2. Section 11106 of the Penal Code, as added by Section~~  
4 ~~2.5 of Chapter 745 of the Statutes of 2011, is amended to read:~~

5 ~~11106. (a) In order to assist in the investigation of crime, the~~  
6 ~~prosecution of civil actions by city attorneys pursuant to paragraph~~  
7 ~~(3) of subdivision (b), the arrest and prosecution of criminals, and~~  
8 ~~the recovery of lost, stolen, or found property, the Attorney General~~  
9 ~~shall keep and properly file a complete record of all copies of~~  
10 ~~fingerprints, copies of licenses to carry firearms issued pursuant~~  
11 ~~to Section 26150, 26155, 26170, or 26215, information reported~~  
12 ~~to the Department of Justice pursuant to Section 26225 or 29830,~~  
13 ~~copies of ammunition purchaser authorizations pursuant to Section~~  
14 ~~30370, ammunition vendor license information pursuant to Article~~  
15 ~~5 (commencing with Section 30380) of Chapter 1 of Division 10~~  
16 ~~of Title 4 of Part 6, information required by Section 30352, dealers'~~  
17 ~~records of sales of firearms, reports provided pursuant to Article~~  
18 ~~1 (commencing with Section 27500) of Chapter 4 of Division 6~~  
19 ~~of Title 4 of Part 6, or pursuant to any provision listed in~~  
20 ~~subdivision (a) of Section 16585, forms provided pursuant to~~  
21 ~~Section 12084, as that section read prior to being repealed, reports~~  
22 ~~provided pursuant to Article 1 (commencing with Section 26700)~~  
23 ~~and Article 2 (commencing with Section 26800) of Chapter 2 of~~  
24 ~~Division 6 of Title 4 of Part 6, that are not dealers' records of sales~~  
25 ~~of firearms, and reports of stolen, lost, found, pledged, or pawned~~  
26 ~~property in any city or county of this state, and shall, upon proper~~  
27 ~~application therefor, furnish this information to the officers referred~~  
28 ~~to in Section 11105.~~

29 ~~(b) (1) The Attorney General shall permanently keep and~~  
30 ~~properly file and maintain all information reported to the~~  
31 ~~Department of Justice pursuant to the following provisions as to~~  
32 ~~firearms and maintain a registry thereof:~~

33 ~~(A) Article 1 (commencing with Section 26700) and Article 2~~  
34 ~~(commencing with Section 26800) of Chapter 2 of Division 6 of~~  
35 ~~Title 4 of Part 6.~~

36 ~~(B) Article 1 (commencing with Section 27500) of Chapter 4~~  
37 ~~of Division 6 of Title 4 of Part 6.~~

38 ~~(C) Chapter 5 (commencing with Section 28050) of Division 6~~  
39 ~~of Title 4 of Part 6.~~

40 ~~(D) Any provision listed in subdivision (a) of Section 16585.~~

1 ~~(E) Former Section 12084.~~

2 ~~(F) Any other law.~~

3 ~~(2) The registry shall consist of all of the following:~~

4 ~~(A) The name, address, identification of, place of birth (state~~  
5 ~~or country), complete telephone number, occupation, sex,~~  
6 ~~description, and all legal names and aliases ever used by the owner~~  
7 ~~or person being loaned the particular firearm as listed on the~~  
8 ~~information provided to the department on the Dealers' Record of~~  
9 ~~Sale, the Law Enforcement Firearms Transfer (LEFT), as defined~~  
10 ~~in former Section 12084, or reports made to the department~~  
11 ~~pursuant to any provision listed in subdivision (a) of Section 16585~~  
12 ~~or any other law.~~

13 ~~(B) The name and address of, and other information about, any~~  
14 ~~person (whether a dealer or a private party) from whom the owner~~  
15 ~~acquired or the person being loaned the particular firearm and~~  
16 ~~when the firearm was acquired or loaned as listed on the~~  
17 ~~information provided to the department on the Dealers' Record of~~  
18 ~~Sale, the LEFT, or reports made to the department pursuant to any~~  
19 ~~provision listed in subdivision (a) of Section 16585 or any other~~  
20 ~~law.~~

21 ~~(C) Any waiting period exemption applicable to the transaction~~  
22 ~~which resulted in the owner of or the person being loaned the~~  
23 ~~particular firearm acquiring or being loaned that firearm.~~

24 ~~(D) The manufacturer's name if stamped on the firearm, model~~  
25 ~~name or number if stamped on the firearm, and, if applicable, the~~  
26 ~~serial number, other number (if more than one serial number is~~  
27 ~~stamped on the firearm), caliber, type of firearm, if the firearm is~~  
28 ~~new or used, barrel length, and color of the firearm, or, if the~~  
29 ~~firearm is not a handgun and does not have a serial number or any~~  
30 ~~identification number or mark assigned to it, that shall be noted.~~

31 ~~(3) Information in the registry referred to in this subdivision~~  
32 ~~shall, upon proper application therefor, be furnished to the officers~~  
33 ~~referred to in Section 11105, to a city attorney prosecuting a civil~~  
34 ~~action, solely for use in prosecuting that civil action and not for~~  
35 ~~any other purpose, or to the person listed in the registry as the~~  
36 ~~owner or person who is listed as being loaned the particular firearm.~~

37 ~~(4) If any person is listed in the registry as the owner of a firearm~~  
38 ~~through a Dealers' Record of Sale prior to 1979, and the person~~  
39 ~~listed in the registry requests by letter that the Attorney General~~  
40 ~~store and keep the record electronically, as well as in the record's~~

1 existing photographic, photostatic, or nonerasable optically stored  
2 form, the Attorney General shall do so within three working days  
3 of receipt of the request. The Attorney General shall, in writing,  
4 and as soon as practicable, notify the person requesting electronic  
5 storage of the record that the request has been honored as required  
6 by this paragraph.

7 (e) ~~(1) Any officer referred to in paragraphs (1) to (6), inclusive,~~  
8 ~~of subdivision (b) of Section 11105 may disseminate the name of~~  
9 ~~the subject of the record, the number of the firearms listed in the~~  
10 ~~record, and the description of any firearm, including the make,~~  
11 ~~model, and caliber, from the record relating to any firearm's sale,~~  
12 ~~transfer, registration, or license record, or any information reported~~  
13 ~~to the Department of Justice pursuant to Section 26225, Article 1~~  
14 ~~(commencing with Section 26700) and Article 2 (commencing~~  
15 ~~with Section 26800) of Chapter 2 of Division 6 of Title 4 of Part~~  
16 ~~6, Article 1 (commencing with Section 27500) of Chapter 4 of~~  
17 ~~Division 6 of Title 4 of Part 6, Chapter 5 (commencing with~~  
18 ~~Section 28050) of Division 6 of Title 4 of Part 6, Article 2~~  
19 ~~(commencing with Section 28150) of Chapter 6 of Division 6 of~~  
20 ~~Title 4 of Part 6, Article 5 (commencing with Section 30900) of~~  
21 ~~Chapter 2 of Division 10 of Title 4 of Part 6, Chapter 2~~  
22 ~~(commencing with Section 33850) of Division 11 of Title 4 of Part~~  
23 ~~6, or any provision listed in subdivision (a) of Section 16585, if~~  
24 ~~the following conditions are met:~~

25 (A) ~~The subject of the record has been arraigned for a crime in~~  
26 ~~which the victim is a person described in subdivisions (a) to (f),~~  
27 ~~inclusive, of Section 6211 of the Family Code and is being~~  
28 ~~prosecuted or is serving a sentence for the crime, or the subject of~~  
29 ~~the record is the subject of an emergency protective order, a~~  
30 ~~temporary restraining order, or an order after hearing, which is in~~  
31 ~~effect and has been issued by a family court under the Domestic~~  
32 ~~Violence Protection Act set forth in Division 10 (commencing~~  
33 ~~with Section 6200) of the Family Code.~~

34 (B) ~~The information is disseminated only to the victim of the~~  
35 ~~crime or to the person who has obtained the emergency protective~~  
36 ~~order, the temporary restraining order, or the order after hearing~~  
37 ~~issued by the family court.~~

38 (C) ~~Whenever a law enforcement officer disseminates the~~  
39 ~~information authorized by this subdivision, that officer or another~~  
40 ~~officer assigned to the case shall immediately provide the victim~~

1 of the crime with a “Victims of Domestic Violence” card, as  
2 specified in subparagraph (H) of paragraph (9) of subdivision (c)  
3 of Section 13701.

4 (2) The victim or person to whom information is disseminated  
5 pursuant to this subdivision may disclose it as he or she deems  
6 necessary to protect himself or herself or another person from  
7 bodily harm by the person who is the subject of the record.

8 SEC. 1.3. Section 11106 of the Penal Code, as added by Section  
9 2.5 of Chapter 745 of the Statutes of 2011, is amended to read:

10 11106. (a) In order to assist in the investigation of crime, the  
11 prosecution of civil actions by city attorneys pursuant to paragraph  
12 (3) of subdivision (b), the arrest and prosecution of criminals, and  
13 the recovery of lost, stolen, or found property, the Attorney General  
14 shall keep and properly file a complete record of all copies of  
15 fingerprints, copies of licenses to carry firearms issued pursuant  
16 to Section 26150, 26155, 26170, or 26215, information reported  
17 to the Department of Justice pursuant to Section 26225 or 29830,  
18 copies of ammunition purchaser authorizations pursuant to Section  
19 30370, ammunition vendor license information pursuant to Article  
20 5 (commencing with Section 30380) of Chapter 1 of Division 10  
21 of Title 4 of Part 6, information required by Section 30352, dealers’  
22 records of sales of firearms, reports provided pursuant to Article  
23 1 (commencing with Section 27500) of Chapter 4 of Division 6  
24 of Title 4 of Part 6, or pursuant to any provision listed in  
25 subdivision (a) of Section 16585, forms provided pursuant to  
26 Section 12084, as that section read prior to being repealed, reports  
27 provided pursuant to Article 1 (commencing with Section 26700)  
28 and Article 2 (commencing with Section 26800) of Chapter 2 of  
29 Division 6 of Title 4 of Part 6, that are not dealers’ records of sales  
30 of firearms, information provided pursuant to Section 28255, and  
31 reports of stolen, lost, found, pledged, or pawned property in any  
32 city or county of this state, and shall, upon proper application  
33 therefor, furnish this information to the officers referred to in  
34 Section 11105.

35 (b) (1) The Attorney General shall permanently keep and  
36 properly file and maintain all information reported to the  
37 Department of Justice pursuant to the following provisions as to  
38 firearms and maintain a registry thereof:

1 ~~(A) Article 1 (commencing with Section 26700) and Article 2~~  
2 ~~(commencing with Section 26800) of Chapter 2 of Division 6 of~~  
3 ~~Title 4 of Part 6.~~

4 ~~(B) Article 1 (commencing with Section 27500) of Chapter 4~~  
5 ~~of Division 6 of Title 4 of Part 6.~~

6 ~~(C) Chapter 5 (commencing with Section 28050) of Division 6~~  
7 ~~of Title 4 of Part 6.~~

8 ~~(D) Any provision listed in subdivision (a) of Section 16585.~~

9 ~~(E) Former Section 12084.~~

10 ~~(F) Section 28255.~~

11 ~~(G) Any other law.~~

12 ~~(2) The registry shall consist of all of the following:~~

13 ~~(A) The name, address, identification of, place of birth (state~~  
14 ~~or country), complete telephone number, occupation, sex,~~  
15 ~~description, and all legal names and aliases ever used by the owner~~  
16 ~~or person being loaned the particular firearm as listed on the~~  
17 ~~information provided to the department on the Dealers' Record of~~  
18 ~~Sale, the Law Enforcement Firearms Transfer (LEFT), as defined~~  
19 ~~in former Section 12084, or reports made to the department~~  
20 ~~pursuant to any provision listed in subdivision (a) of Section 16585,~~  
21 ~~Section 28255, or any other law.~~

22 ~~(B) The name and address of, and other information about, any~~  
23 ~~person (whether a dealer or a private party) from whom the owner~~  
24 ~~acquired or the person being loaned the particular firearm and~~  
25 ~~when the firearm was acquired or loaned as listed on the~~  
26 ~~information provided to the department on the Dealers' Record of~~  
27 ~~Sale, the LEFT, or reports made to the department pursuant to any~~  
28 ~~provision listed in subdivision (a) of Section 16585 or any other~~  
29 ~~law.~~

30 ~~(C) Any waiting period exemption applicable to the transaction~~  
31 ~~which resulted in the owner of or the person being loaned the~~  
32 ~~particular firearm acquiring or being loaned that firearm.~~

33 ~~(D) The manufacturer's name if stamped on the firearm, model~~  
34 ~~name or number if stamped on the firearm, and, if applicable, the~~  
35 ~~serial number, other number (if more than one serial number is~~  
36 ~~stamped on the firearm), caliber, type of firearm, if the firearm is~~  
37 ~~new or used, barrel length, and color of the firearm, or, if the~~  
38 ~~firearm is not a handgun and does not have a serial number or any~~  
39 ~~identification number or mark assigned to it, that shall be noted.~~

1     ~~(3) Information in the registry referred to in this subdivision~~  
2     ~~shall, upon proper application therefor, be furnished to the officers~~  
3     ~~referred to in Section 11105, to a city attorney prosecuting a civil~~  
4     ~~action, solely for use in prosecuting that civil action and not for~~  
5     ~~any other purpose, or to the person listed in the registry as the~~  
6     ~~owner or person who is listed as being loaned the particular firearm.~~

7     ~~(4) If any person is listed in the registry as the owner of a firearm~~  
8     ~~through a Dealers' Record of Sale prior to 1979, and the person~~  
9     ~~listed in the registry requests by letter that the Attorney General~~  
10    ~~store and keep the record electronically, as well as in the record's~~  
11    ~~existing photographic, photostatic, or nonerasable optically stored~~  
12    ~~form, the Attorney General shall do so within three working days~~  
13    ~~of receipt of the request. The Attorney General shall, in writing,~~  
14    ~~and as soon as practicable, notify the person requesting electronic~~  
15    ~~storage of the record that the request has been honored as required~~  
16    ~~by this paragraph.~~

17    ~~(e) (1) Any officer referred to in paragraphs (1) to (6), inclusive,~~  
18    ~~of subdivision (b) of Section 11105 may disseminate the name of~~  
19    ~~the subject of the record, the number of the firearms listed in the~~  
20    ~~record, and the description of any firearm, including the make,~~  
21    ~~model, and caliber, from the record relating to any firearm's sale,~~  
22    ~~transfer, registration, or license record, or any information reported~~  
23    ~~to the Department of Justice pursuant to Section 26225, Article 1~~  
24    ~~(commencing with Section 26700) and Article 2 (commencing~~  
25    ~~with Section 26800) of Chapter 2 of Division 6 of Title 4 of Part~~  
26    ~~6, Article 1 (commencing with Section 27500) of Chapter 4 of~~  
27    ~~Division 6 of Title 4 of Part 6, Chapter 5 (commencing with~~  
28    ~~Section 28050) of Division 6 of Title 4 of Part 6, Article 2~~  
29    ~~(commencing with Section 28150) of Chapter 6 of Division 6 of~~  
30    ~~Title 4 of Part 6, Article 5 (commencing with Section 30900) of~~  
31    ~~Chapter 2 of Division 10 of Title 4 of Part 6, Chapter 2~~  
32    ~~(commencing with Section 33850) of Division 11 of Title 4 of Part~~  
33    ~~6, or any provision listed in subdivision (a) of Section 16585, if~~  
34    ~~the following conditions are met:~~

35    ~~(A) The subject of the record has been arraigned for a crime in~~  
36    ~~which the victim is a person described in subdivisions (a) to (f),~~  
37    ~~inclusive, of Section 6211 of the Family Code and is being~~  
38    ~~prosecuted or is serving a sentence for the crime, or the subject of~~  
39    ~~the record is the subject of an emergency protective order, a~~  
40    ~~temporary restraining order, or an order after hearing, which is in~~



1 effect and has been issued by a family court under the Domestic  
2 Violence Protection Act set forth in Division 10 (commencing  
3 with Section 6200) of the Family Code.

4 (B) The information is disseminated only to the victim of the  
5 crime or to the person who has obtained the emergency protective  
6 order, the temporary restraining order, or the order after hearing  
7 issued by the family court.

8 (C) Whenever a law enforcement officer disseminates the  
9 information authorized by this subdivision, that officer or another  
10 officer assigned to the case shall immediately provide the victim  
11 of the crime with a “Victims of Domestic Violence” card, as  
12 specified in subparagraph (H) of paragraph (9) of subdivision (c)  
13 of Section 13701.

14 (2) The victim or person to whom information is disseminated  
15 pursuant to this subdivision may disclose it as he or she deems  
16 necessary to protect himself or herself or another person from  
17 bodily harm by the person who is the subject of the record.

18 *SECTION 1. Section 11106 of the Penal Code is amended to*  
19 *read:*

20 11106. (a) In order to assist in the investigation of crime, the  
21 prosecution of civil actions by city attorneys pursuant to paragraph  
22 (3) of subdivision (b), the arrest and prosecution of criminals, and  
23 the recovery of lost, stolen, or found property, the Attorney General  
24 shall keep and properly file a complete record of all copies of  
25 fingerprints, copies of licenses to carry firearms issued pursuant  
26 to Section 26150, 26155, 26170, or 26215, information reported  
27 to the Department of Justice pursuant to Section 26225 or 29830,  
28 26225, copies of ammunition purchaser authorizations pursuant  
29 to Section 30370, ammunition vendor license information pursuant  
30 to Article 5 (commencing with Section 30380) of Chapter 1 of  
31 Division 10 of Title 4 of Part 6, information required by Section  
32 30352, dealers’ records of sales of firearms, reports provided  
33 pursuant to Article 1 (commencing with Section 27500) of Chapter  
34 4 of Division 6 of Title 4 of Part 6, or pursuant to any provision  
35 listed in subdivision (a) of Section 16585, forms provided pursuant  
36 to Section 12084, as that section read prior to being repealed,  
37 reports provided pursuant to Article 1 (commencing with Section  
38 26700) and Article 2 (commencing with Section 26800) of Chapter  
39 2 of Division 6 of Title 4 of Part 6, that are not dealers’ records of  
40 sales of firearms, information provided pursuant to Section 28255,

1 and reports of stolen, lost, found, pledged, or pawned property in  
2 any city or county of this state, and shall, upon proper application  
3 therefor, furnish this information to the officers referred to in  
4 Section 11105.

5 (b) (1) The Attorney General shall permanently keep and  
6 properly file and maintain all information reported to the  
7 Department of Justice pursuant to the following provisions as to  
8 firearms and maintain a registry thereof:

9 (A) Article 1 (commencing with Section 26700) and Article 2  
10 (commencing with Section 26800) of Chapter 2 of Division 6 of  
11 Title 4 of Part 6.

12 (B) Article 1 (commencing with Section 27500) of Chapter 4  
13 of Division 6 of Title 4 of Part 6.

14 (C) Chapter 5 (commencing with Section 28050) of Division 6  
15 of Title 4 of Part 6.

16 (D) Any provision listed in subdivision (a) of Section 16585.

17 (E) Former Section 12084.

18 ~~(F) Section 28255.~~

19 ~~(G)~~

20 (F) Any other law.

21 (2) The registry shall consist of all of the following:

22 (A) The name, address, identification of, place of birth (state  
23 or country), complete telephone number, occupation, sex,  
24 description, and all legal names and aliases ever used by the owner  
25 or person being loaned the particular firearm as listed on the  
26 information provided to the department on the Dealers' Record of  
27 Sale, the Law Enforcement Firearms Transfer (LEFT), as defined  
28 in former Section 12084, or reports made to the department  
29 pursuant to any provision listed in subdivision (a) of Section 16585;  
30 ~~Section 28255~~, or any other law.

31 (B) The name and address of, and other information about, any  
32 person (whether a dealer or a private party) from whom the owner  
33 acquired or the person being loaned the particular firearm and  
34 when the firearm was acquired or loaned as listed on the  
35 information provided to the department on the Dealers' Record of  
36 Sale, the LEFT, or reports made to the department pursuant to any  
37 provision listed in subdivision (a) of Section 16585 or any other  
38 law.

1 (C) Any waiting period exemption applicable to the transaction  
2 which resulted in the owner of or the person being loaned the  
3 particular firearm acquiring or being loaned that firearm.

4 (D) The manufacturer's name if stamped on the firearm, model  
5 name or number if stamped on the firearm, and, if applicable, the  
6 serial number, other number (if more than one serial number is  
7 stamped on the firearm), caliber, type of firearm, if the firearm is  
8 new or used, barrel length, and color of the firearm, or, if the  
9 firearm is not a handgun and does not have a serial number or any  
10 identification number or mark assigned to it, that shall be noted.

11 (3) Information in the registry referred to in this subdivision  
12 shall, upon proper application therefor, be furnished to the officers  
13 referred to in Section 11105, to a city attorney prosecuting a civil  
14 action, solely for use in prosecuting that civil action and not for  
15 any other purpose, or to the person listed in the registry as the  
16 owner or person who is listed as being loaned the particular firearm.

17 (4) If any person is listed in the registry as the owner of a firearm  
18 through a Dealers' Record of Sale prior to 1979, and the person  
19 listed in the registry requests by letter that the Attorney General  
20 store and keep the record electronically, as well as in the record's  
21 existing photographic, photostatic, or nonerasable optically stored  
22 form, the Attorney General shall do so within three working days  
23 of receipt of the request. The Attorney General shall, in writing,  
24 and as soon as practicable, notify the person requesting electronic  
25 storage of the record that the request has been honored as required  
26 by this paragraph.

27 (c) (1) Any officer referred to in paragraphs (1) to (6), inclusive,  
28 of subdivision (b) of Section 11105 may disseminate the name of  
29 the subject of the record, the number of the firearms listed in the  
30 record, and the description of any firearm, including the make,  
31 model, and caliber, from the record relating to any firearm's sale,  
32 transfer, registration, or license record, or any information reported  
33 to the Department of Justice pursuant to Section 26225, Article 1  
34 (commencing with Section 26700) and Article 2 (commencing  
35 with Section 26800) of Chapter 2 of Division 6 of Title 4 of Part  
36 6, Article 1 (commencing with Section 27500) of Chapter 4 of  
37 Division 6 of Title 4 of Part 6, Chapter 5 (commencing with  
38 Section 28050) of Division 6 of Title 4 of Part 6, Article 2  
39 (commencing with Section 28150) of Chapter 6 of Division 6 of  
40 Title 4 of Part 6, Article 5 (commencing with Section 30900) of

Chapter 2 of Division 10 of Title 4 of Part 6, Chapter 2 (commencing with Section 33850) of Division 11 of Title 4 of Part 6, or any provision listed in subdivision (a) of Section 16585, if the following conditions are met:

(A) The subject of the record has been arraigned for a crime in which the victim is a person described in subdivisions (a) to (f), inclusive, of Section 6211 of the Family Code and is being prosecuted or is serving a sentence for the crime, or the subject of the record is the subject of an emergency protective order, a temporary restraining order, or an order after hearing, which is in effect and has been issued by a family court under the Domestic Violence Protection Act set forth in Division 10 (commencing with Section 6200) of the Family Code.

(B) The information is disseminated only to the victim of the crime or to the person who has obtained the emergency protective order, the temporary restraining order, or the order after hearing issued by the family court.

(C) Whenever a law enforcement officer disseminates the information authorized by this subdivision, that officer or another officer assigned to the case shall immediately provide the victim of the crime with a “Victims of Domestic Violence” card, as specified in subparagraph (H) of paragraph (9) of subdivision (c) of Section 13701.

(2) The victim or person to whom information is disseminated pursuant to this subdivision may disclose it as he or she deems necessary to protect himself or herself or another person from bodily harm by the person who is the subject of the record.

SEC. 2. Section 16663 is added to the Penal Code, to read:

16663. (a) As used in this part, “ammunition vendor” means any person, firm, corporation, dealer, or any other business enterprise that is engaged in the retail sale of any ammunition, or that holds itself out as engaged in the business of selling any ammunition.

(b) Commencing July 1, ~~2015~~ 2016, “ammunition vendor” means any person or responsible person, as defined in Section 30385, of an entity described in subdivision (a) who has a current ammunition vendor license, pursuant to Section 30385.

SEC. 3. Section 17315 of the Penal Code is amended to read:

1 17315. As used in Article 3 (commencing with Section 30345)  
2 of Chapter 1 of Division 10 of Title 4, “vendor” means an  
3 ammunition vendor.

4 SEC. 4. Section 30000 of the Penal Code is amended to read:

5 30000. (a) The Attorney General shall establish and maintain  
6 an online database to be known as the Prohibited Armed Persons  
7 File. The purpose of the file is to cross-reference persons who have  
8 ownership or possession of a firearm on or after January 1, 1991,  
9 as indicated by a record in the Consolidated Firearms Information  
10 System, and who, subsequent to the date of that ownership or  
11 possession of a firearm, fall within a class of persons who are  
12 prohibited from owning or possessing a firearm.

13 (b) Commencing July 1, ~~2015~~ 2016, the file shall also be used  
14 to cross-reference persons who acquire ammunition to determine  
15 if those persons fall within a class of persons who are prohibited  
16 from owning or possessing ammunition.

17 (c) The information contained in the Prohibited Armed Persons  
18 File shall only be available to those entities specified in, and  
19 pursuant to, subdivision (b) or (c) of Section 11105, through the  
20 California Law Enforcement Telecommunications System, for the  
21 purpose of determining if persons are armed and prohibited from  
22 possessing firearms or ammunition.

23 SEC. 5. Section 30005 of the Penal Code is amended to read:

24 30005. The Prohibited Armed Persons File database shall  
25 function as follows:

26 (a) Upon entry into the Department of Justice’s records of a  
27 disposition for a conviction of any felony, a conviction for any  
28 firearms-prohibiting charge specified in Chapter 2 (commencing  
29 with Section 29800), a conviction for an offense described in  
30 Chapter 3 (commencing with Section 29900), a firearms prohibition  
31 pursuant to Section 8100 or 8103 of the Welfare and Institutions  
32 Code, or any firearms possession prohibition identified by the  
33 federal National Instant Criminal Background Check System, the  
34 Department of Justice shall determine if the subject has an entry  
35 in the Consolidated Firearms Information System indicating  
36 possession or ownership of a firearm on or after January 1, 1991,  
37 or an assault weapon registration, or a .50 BMG rifle registration,  
38 or commencing July 1, ~~2015~~ 2016, acquisition of ammunition.

39 (b) Upon an entry into any department automated information  
40 system that is used for the identification of persons who are

1 prohibited by state or federal law from acquiring, owning, or  
2 possessing firearms, the department shall determine if the subject  
3 has an entry in the Consolidated Firearms Information System  
4 indicating ownership or possession of a firearm on or after January  
5 1, 1991, or an assault weapon registration, or a .50 BMG rifle  
6 registration.

7 (c) If the department determines that, pursuant to subdivision  
8 (a) or (b), the subject has an entry in the Consolidated Firearms  
9 Information System indicating possession or ownership of a firearm  
10 on or after January 1, 1991, or an assault weapon registration, or  
11 a .50 BMG rifle registration, the following information shall be  
12 entered into the Prohibited Armed Persons File:

13 (1) The subject's name.  
14 (2) The subject's date of birth.  
15 (3) The subject's physical description.  
16 (4) Any other identifying information regarding the subject that  
17 is deemed necessary by the Attorney General.

18 (5) The basis of the firearms possession and ammunition  
19 prohibition.

20 (6) A description of all firearms owned or possessed by the  
21 subject, as reflected by the Consolidated Firearms Information  
22 System.

23 SEC. 6. Section 30312 of the Penal Code is amended to read:

24 30312. (a) (1) The delivery or transfer of ownership of  
25 ammunition may only occur in a face-to-face transaction with the  
26 deliverer or transferor being provided bona fide evidence of identity  
27 from the purchaser or other transferee, provided, however, that  
28 ammunition may be purchased over the Internet or through other  
29 means of remote ordering if an ammunition vendor in this state  
30 initially receives the ammunition and processes the transfer in  
31 compliance with this section and Article 3 (commencing with  
32 Section 30345). An ammunition vendor is required to promptly  
33 and properly process those transactions. An ammunition vendor  
34 is not required to house ammunition orders longer than 30 days.

35 (2) Commencing July 1, ~~2015~~ 2016, the sale of ammunition  
36 may only be conducted by an ammunition vendor licensed pursuant  
37 to Section 30385.

38 (3) For purposes of this section, "ammunition" does not include  
39 blanks.

(b) Subdivision (a) shall not apply to or affect the sale, delivery, or transfer of ammunition to any of the following:

(1) An authorized law enforcement representative of a city, county, city and county, or state or federal government, if the sale, delivery, or transfer is for exclusive use by that government agency and, prior to the sale, delivery, or transfer of the ammunition, written authorization from the head of the agency employing the purchaser or transferee is obtained, identifying the employee as an individual authorized to conduct the transaction, and authorizing the transaction for the exclusive use of the agency employing the individual.

(2) A sworn peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 who is authorized to carry a firearm in the course and scope of the officer's duties.

(3) An importer or manufacturer of ammunition or firearms who is licensed to engage in business pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.

(4) A person who is on the centralized list maintained by the Department of Justice pursuant to Article 6 (commencing with Section 28450) of Chapter 6 of Division 6 of this title.

(5) A person whose licensed premises are outside this state and who is licensed as a dealer or collector of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.

(6) A person who is licensed as a collector of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, whose licensed premises are within this state, and who has a current certificate of eligibility issued by the Department of Justice pursuant to Section 26710.

(7) An ammunition vendor.

(8) A consultant-evaluator.

(9) A participant at an event organized by a nonprofit mutual or public benefit corporation, where the sale, transfer, or delivery is by a nonprofit mutual or public benefit corporation organized pursuant to the Corporations Code, where the ammunition is to be used and consumed on the premises of an event conducted by that

1 nonprofit or public benefit corporation, and the event is at a target  
2 range which holds a regulatory or business license.

3 *(10) A contract or common carrier or an authorized agent or*  
4 *employee thereof, when acting in conformance with applicable*  
5 *federal law.*

6 (c) A violation of this section is a misdemeanor.

7 SEC. 7. The heading of Article 3 (commencing with Section  
8 30345) of Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal  
9 Code is amended to read:

10  
11 Article 3. Ammunition Vendors  
12

13 SEC. 8. Section 30345 of the Penal Code is amended to read:

14 30345. (a) A vendor shall comply with all of the conditions,  
15 requirements, and prohibitions stated in this article.

16 (b) Commencing July 1, ~~2015~~ 2016, an ammunition vendor  
17 shall be licensed by the Department of Justice in order to sell  
18 ammunition.

19 (c) For purposes of this article, “ammunition” does not include  
20 blanks.

21 SEC. 9. Section 30347 of the Penal Code is amended to read:

22 30347. A vendor shall not permit any employee who the vendor  
23 knows or reasonably should know is a person described in Chapter  
24 2 (commencing with Section 29800) or Chapter 3 (commencing  
25 with Section 29900) of Division 9 of this title or Section 8100 or  
26 8103 of the Welfare and Institutions Code to handle, sell, or deliver  
27 ammunition in the course and scope of employment.

28 SEC. 10. Section 30348 is added to the Penal Code, to read:

29 30348. (a) Except as provided in subdivision (b), the sale of  
30 ammunition shall be conducted at the location specified in the  
31 license.

32 (b) A vendor may sell ammunition at a gun show or event if the  
33 gun show or event is not conducted from any motorized or towed  
34 vehicle.

35 (c) For purposes of this section, “gun show or event” means a  
36 function sponsored by any national, state, or local organization,  
37 devoted to the collection, competitive use, or other sporting use  
38 of firearms, or an organization or association that sponsors  
39 functions devoted to the collection, competitive use, or other  
40 sporting use of firearms in the community.



1 (d) Sales of ammunition at a gun show or event shall comply  
2 with Sections 30347, 30350, 30352, and 30360.

3 SEC. 11. Section 30350 of the Penal Code is amended to read:

4 30350. A vendor shall not sell, offer for sale, or display for  
5 sale any ammunition in a manner that allows that ammunition to  
6 be accessible to a purchaser or transferee without the assistance  
7 of the vendor or an employee of the vendor.

8 SEC. 12. Section 30352 of the Penal Code is amended to read:

9 30352. (a) A vendor shall not sell any ammunition without,  
10 at the time of delivery, legibly recording the following information:

11 (1) The date of the sale.

12 (2) The purchaser's driver's license or other identification  
13 number and the state in which it was issued.

14 (3) The brand, type, and amount of ammunition sold.

15 (4) The name of the salesperson who processed the sale or other  
16 transaction.

17 (5) The purchaser's full residential address and telephone  
18 number.

19 (6) The purchaser's date of birth.

20 (b) Commencing July 1, ~~2015~~ 2016, the vendor shall submit to  
21 the department the information required by subdivision (a) in a  
22 format and a manner prescribed by the department for all sales of  
23 ownership of ammunition. The department shall check the  
24 submitted information against the Prohibited Armed Persons File.  
25 The vendor shall not share any of the information required by  
26 subdivision (a) for any reason other than for authorized law  
27 enforcement purposes.

28 (c) Commencing on July 1, ~~2016~~ 2017, only those persons listed  
29 below or those persons or entities listed in subdivision (e) shall be  
30 authorized to purchase ammunition. Prior to the delivery of the  
31 ammunition, the vendor shall verify that the person who is  
32 receiving delivery of the ammunition is a properly identified person  
33 or entity listed in subdivision (e) or one of the following:

34 (1) A person authorized to purchase ammunition pursuant to  
35 Section 30370.

36 (2) A person who is authorized to carry loaded firearms pursuant  
37 to Section 25900, 25905, 25910, 25925, 26010, 26015, 26025, or  
38 26030.

39 (3) A holder of a special weapons permit issued by the  
40 department pursuant to Section 32650 or 33300, pursuant to Article

1 3 (commencing with Section 18900) of Chapter 1 of Division 5  
2 of Title 2, or pursuant to Article 4 (commencing with Section  
3 32700) of Chapter 6 of this division.

4 (4) A holder of a current certificate of eligibility issued pursuant  
5 to Section 26710.

6 (5) A holder of a valid entertainment firearms permit issued  
7 pursuant to Chapter 2 (commencing with Section 29500) of  
8 Division 8.

9 (d) Commencing July 1, ~~2016~~ 2017, the vendor shall  
10 electronically verify with the department, in a manner prescribed  
11 by the department, that the person is authorized to purchase  
12 ammunition by referencing the centralized list of authorized  
13 ammunition purchasers. If the person is not listed as an authorized  
14 ammunition purchaser, the vendor shall deny the sale.

15 (e) Subdivisions (a) and (d) shall not apply to or affect sales or  
16 other transfers of ownership of ammunition by ammunition vendors  
17 to any of the following, if properly identified:

18 (1) A person licensed pursuant to Sections 26700 to 26915,  
19 inclusive.

20 (2) An ammunition vendor.

21 (3) A person who is on the centralized list maintained by the  
22 department pursuant to Article 6 (commencing with Section 28450)  
23 of Chapter 6 of Division 6 of this title.

24 (4) A target facility that holds a business or regulatory license.

25 (5) A gunsmith.

26 (6) A wholesaler.

27 (7) A manufacturer or importer of firearms or ammunition  
28 licensed pursuant to Chapter 44 (commencing with Section 921)  
29 of Title 18 of the United States Code, and the regulations issued  
30 pursuant thereto.

31 (8) An authorized law enforcement representative of a city,  
32 county, city and county, or state or federal government, if the sale  
33 or other transfer of ownership is for exclusive use by that  
34 government agency, and, prior to the sale, delivery, or transfer of  
35 the ammunition, written authorization from the head of the agency  
36 authorizing the transaction is presented to the person from whom  
37 the purchase, delivery, or transfer is being made. Proper written  
38 authorization is defined as verifiable written certification from the  
39 head of the agency by which the purchaser, transferee, or person  
40 otherwise acquiring ownership is employed, identifying the

1 employee as an individual authorized to conduct the transaction,  
2 and authorizing the transaction for the exclusive use of the agency  
3 by which that individual is employed.

4 (9) The Department of Justice, any police department, any  
5 sheriff's official, any marshal's office, the Youth and Adult  
6 Correctional Agency, the Department of the California Highway  
7 Patrol, any district attorney's office, any federal law enforcement  
8 agency or the military or naval forces of this state or of the United  
9 States for use in the discharge of their official duties, and sworn  
10 members of these agencies.

11 SEC. 13. Section 30355 of the Penal Code is repealed.

12 SEC. 14. Section 30365 of the Penal Code is amended to read:

13 30365. (a) A violation of subdivision (b) of Section 30345,  
14 Section 30347, 30350, 30352, 30360, or 30362 is a misdemeanor.

15 (b) The provisions of this section are cumulative, and shall not  
16 be construed as restricting the application of any other law.  
17 However, an act or omission punishable in different ways by  
18 different provisions of law shall not be punished under more than  
19 one provision.

20 SEC. 15. Article 4 (commencing with Section 30370) is added  
21 to Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal Code,  
22 to read:

23  
24 Article 4. Ammunition Purchase Felony Screening  
25

26 30370. (a) (1) Commencing on January 1, ~~2016~~ 2017, any  
27 person who is 18 years of age or older may apply to the department  
28 for an ammunition purchase authorization.

29 (2) The ammunition purchase authorization shall entitle the  
30 authorized person to purchase ammunition from an ammunition  
31 vendor as that term is defined in Section 16663 and shall have no  
32 other force or effect. The authorization does not authorize a person  
33 to purchase ammunition if the person is or becomes prohibited  
34 from acquiring or possessing ammunition.

35 (3) For purposes of this article, "ammunition" does not include  
36 blanks.

37 (4) Those persons and entities listed in subdivisions (c) and (e)  
38 of Section 30352 are not required to obtain an authorization under  
39 this article in order to acquire or ~~posses~~ possess ammunition.

(b) Except as provided in subdivision (c), the department shall issue an ammunition purchase authorization to the applicant if all of the following conditions are met:

- (1) The applicant is 18 years of age or older.
- (2) The applicant is not prohibited from acquiring or possessing ammunition because of a felony conviction.
- (3) The applicant pays the fees set forth in subdivision (h).
- (4) The applicant submits fingerprint images in compliance with subdivision (j).
- (5) The applicant provides a government-issued photo identification.

(c) The department shall issue an ammunition purchase authorization to the applicant if the applicant is a firearms purchaser who submits firearms purchaser information to the department, for a firearm purchase occurring on or after January 1, ~~2016~~ 2017, passed a background check in connection with that purchase, and that information can be found on the department's automated system, provided the applicant is not prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm or a person described in subdivision (a) of ~~Sections~~ *Section 27535*. Eligible firearms purchasers shall apply with the department in a manner and form prescribed by the department and are subject to a fee not to exceed the reasonable costs of the actual processing costs of the department, including checking the automated firearms system but not to exceed ten dollars (\$10). An application submitted simultaneously with a firearm purchase shall be approved within 10 days if the applicant passes the background check for the firearm purchase.

(d) (1) Upon receipt of an application, the department shall, except for those applicants described in subdivision (c), examine its records in order to determine if the applicant is prohibited from possessing or acquiring ammunition due to a felony conviction.

(2) The applicant shall be approved or denied within 30 days of the date of the application. If the application is denied, the department shall state the reasons for doing so and provide the applicant an appeal process to challenge that denial.

(3) If the department is unable to ascertain the final disposition of the application within 30 days of the applicant's submission, the department shall deny the application and refer the applicant to the file record review process.

1 (e) The ammunition purchase authorization shall be revoked by  
2 the department upon the occurrence of any event which would  
3 prohibit the individual from owning or possessing ammunition.

4 (f) The department shall provide a written notice to the applicant  
5 stating that an authorization under this section does not authorize  
6 a person who is otherwise prohibited from acquiring or possessing  
7 ammunition to acquire or possess ammunition.

8 (g) The department shall create an internal centralized list of  
9 all persons who are authorized to purchase ammunition. The photo  
10 identification provided with the application shall be referenced to  
11 the person in the centralized list. Law enforcement agencies shall  
12 be provided access to the list for law enforcement purposes.

13 (h) The department shall recover the reasonable cost of  
14 regulatory and enforcement activities related to the sale, purchase,  
15 possession, loan, or transfer of ammunition pursuant to this section  
16 by charging applicants described in subdivision (b) an initial  
17 application fee not to exceed fifty dollars (\$50), including  
18 fingerprint fees, which shall be valid for two years, and not to  
19 exceed fourteen dollars (\$14) for the biennial renewal application  
20 to include at a minimum, a new application for all applicants.

21 (i) All fees received pursuant to this section shall be deposited  
22 into the Dealer's Record of Sale Special Account of the General  
23 Fund.

24 (j) Applicants subject to subdivision (a) shall submit fingerprint  
25 images and related information required by the department to the  
26 department for the purposes of obtaining information as to the  
27 existence and content of a record of state or federal convictions.  
28 Fingerprint images and other information may also be used to  
29 obtain information related to state or federal arrests and state or  
30 federal arrests for which the department establishes that the person  
31 is free on bail or on his or her recognizance pending trial or appeal,  
32 for purposes of determining if the arrests resulted in a conviction.

33 (1) When received, the department shall forward to the Federal  
34 Bureau of Investigation requests for federal summary criminal  
35 history information received pursuant to this section. The  
36 department shall review the information returned from the Federal  
37 Bureau of Investigation and disseminate the result within the  
38 department.

1 (2) The department shall request subsequent notification service,  
2 as provided pursuant to Section 11105.2 of the Penal Code, for  
3 applicants subject to subdivision (a).

4 (3) The department shall charge a reasonable fee sufficient to  
5 cover the cost of processing the request described in this section.

6 (k) The implementation of this section by the department is  
7 exempt from the Administrative Procedure Act (Chapter 3.5  
8 (commencing with Section 11340) of Part 1 of Division 3 of Title  
9 2 of the Government Code).

10 (l) The department shall annually review and shall adjust the  
11 fees specified in subdivision (h), if necessary, to fully fund, but  
12 not to exceed the reasonable costs of, the ammunition authorization  
13 program provided by this section, including the enforcement of  
14 this program.

15 (m) The Attorney General is authorized to adopt regulations to  
16 implement the provisions of this section.

17 30375. (a) It is the intent of the Legislature to ensure that  
18 prohibited persons do not have access to ammunition by requiring  
19 that any individual who wants to purchase ammunition in  
20 California have a background check. It is further the intent of the  
21 Legislature to streamline the ammunition authorization application  
22 process as much as possible for ammunition purchasers.

23 (b) The Legislature finds and declares that due to technological  
24 restrictions and cost concerns, a felony-only background check is,  
25 currently, the only background check that can be performed for  
26 ammunition purchases. This check will prevent the most dangerous  
27 of criminals from accessing ammunition. It is the intent of the  
28 Legislature that this felony-only background check be expanded,  
29 once technology allows, to a comprehensive background check  
30 parallel to the firearms eligibility background check.

31 (c) The Legislature further finds and declares that given that  
32 the existing firearms eligibility background check is more extensive  
33 than the ammunition authorization felony screening, rather than  
34 requiring firearms owners to go through a new background check,  
35 the department may use automated firearms records of sales to  
36 reference the Prohibited Armed Persons File (Section 30000) to  
37 verify that a firearms owner has not become prohibited from  
38 purchasing ammunition. It is in the interest of public safety to  
39 strive for an exhaustive background check system that precludes

1 criminals and other prohibited individuals from purchasing  
2 ammunition.

3 SEC. 16. Article 5 (commencing with Section 30380) is added  
4 to Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal Code,  
5 to read:

6  
7 Article 5. Ammunition Vendor Licenses  
8

9 30380. (a) Commencing July 1, ~~2015~~ 2016, no ammunition  
10 vendor shall sell ammunition unless the vendor is licensed pursuant  
11 to Section 30385.

12 (b) A violation of this section is a misdemeanor.

13 (c) For purposes of this article, “ammunition” does not include  
14 blanks.

15 30385. (a) The Department of Justice is authorized to issue  
16 ammunition vendor licenses pursuant to this article. The department  
17 shall, commencing January 1, ~~2015~~ 2016, commence accepting  
18 applications for ammunition vendor licenses. The department shall  
19 issue a license or deny the application for a license within 30 days  
20 of receipt of the application. If the application is denied, the  
21 department shall inform the applicant of the reason for denial in  
22 writing.

23 (b) The ammunition vendor license shall be issued in a form  
24 prescribed by the Attorney General and shall be valid for a period  
25 of one year. The Attorney General may adopt regulations to  
26 administer application and enforcement provisions of this article.  
27 The license shall allow the licensee to sell ammunition from a  
28 fixed location *and at any place set forth in subdivision (b) of*  
29 *Section 30348.*

30 (c) (1) In the case of an entity other than a natural person, the  
31 department shall issue the license to the business entity, but shall  
32 require a responsible person to pass the background check pursuant  
33 to Section 30395.

34 (2) A “responsible person” for purposes of Section 16663 and  
35 this article, means a person having the power to direct the  
36 management, policies, and practices of the business as it pertains  
37 to ammunition.

38 30390. (a) The department may charge ammunition vendor  
39 license applicants a fee sufficient to reimburse the department for  
40 the reasonable costs of administering the license program,

1 maintaining the registry of ammunition vendors, and necessary  
2 enforcement, provided however, that the fee shall not exceed one  
3 hundred dollars (\$100).

4 (b) The fees received by the department pursuant to this article  
5 shall be deposited in the Ammunition Vendor's Special Account,  
6 which is hereby created. The revenue in the fund shall be available,  
7 upon appropriation by the Legislature, for use by the Department  
8 of Justice for the purpose of implementing and enforcing the  
9 provisions of this article.

10 30395. (a) The department is authorized to issue ammunition  
11 vendor licenses to ammunition vendors who the department has  
12 determined, either as an individual or a responsible person, are not  
13 prohibited by state law from possessing, receiving, owning, or  
14 purchasing a firearm, and who provide a copy of any regulatory  
15 or business license required by local government, a valid seller's  
16 permit issued by the State Board of Equalization, a federal firearms  
17 license if the person is federally licensed, and a certificate of  
18 eligibility issued by the department.

19 (b) The department shall issue ammunition vendor licenses  
20 pursuant to this article to the following applicants, who shall  
21 designate a responsible person, as necessary:

22 (1) A licensed firearms dealer.

23 (2) Persons on the centralized list maintained by the department  
24 pursuant to Section 28450.

25 (3) A target facility holding a business or other regulatory  
26 license.

27 (4) A gunsmith.

28 (5) A firearms wholesaler.

29 (6) A manufacturer or importer of firearms or ammunition  
30 licensed pursuant to Chapter 44 (commencing with Section 921)  
31 of Title 18 of the United States Code, and the regulations issued  
32 pursuant thereto.

33 (c) The department shall keep a registry of all licensed  
34 ammunition vendors.

35 (d) The department shall revoke the license of any ammunition  
36 vendor who violates this article or Article 3 (commencing with  
37 Section 30345) in any combination three times. The ammunition  
38 vendor shall thereafter be permanently ineligible for an ammunition  
39 vendor license.



1 30400. (a) The Attorney General shall prepare and submit to  
2 the Legislature on or before July 1, ~~2016~~ 2017, a report concerning  
3 all of the following:

4 (1) Recommendations for enhancements that could be made to  
5 the background check system to capture mental health records,  
6 domestic violence restraining orders, and wanted person's  
7 information.

8 (2) The feasibility and costs of implementing enhancements to  
9 the background check system.

10 (3) The overall costs of creating and maintaining, and the costs  
11 to the individuals of using, that enhanced system.

12 (4) The feasibility of integrating the ammunition background  
13 check system into the current firearm registration system.

14 (5) The effect of the system on overall efforts by the Department  
15 of Justice in terms of information and computerized upgrades that  
16 the department is currently undertaking.

17 (6) Recommendations for regulation of interstate commerce,  
18 including the Internet sale of ammunition and out-of-state hunters  
19 wanting to purchase ammunition in California.

20 (7) Recommendations for any specific statutory changes  
21 necessary to implement the recommendations, if any.

22 (b) The report required by subdivision (a) shall be submitted  
23 pursuant to Section 9795 of the Government Code.

24 (c) It is the intent of the Legislature to implement the  
25 ammunition background check system incrementally to minimize  
26 cost burdens to the state. It is also the intent of the Legislature to  
27 provide the Department of Justice the flexibility to develop a more  
28 comprehensive background check system that includes mental  
29 health records and restraining orders. It is the intent of the  
30 Legislature that the department enforce the provisions of this  
31 chapter.

32 ~~SEC. 17.—(a) Section 1.1 of this bill incorporates amendments~~  
33 ~~to Section 11106 of the Penal Code proposed by both this bill and~~  
34 ~~Assembly Bill 500. It shall only become operative if (1) both bills~~  
35 ~~are enacted and become effective on or before January 1, 2014,~~  
36 ~~(2) each bill amends Section 11106 of the Penal Code, (3)~~  
37 ~~Assembly Bill 539 is not enacted or as enacted does not amend~~  
38 ~~that section, and (4) this bill is enacted after Assembly Bill 500 in~~  
39 ~~which case Sections 1, 1.2, and 1.3 of this bill shall not become~~  
40 ~~operative.~~

~~(b) Section 1.2 of this bill incorporates amendments to Section 11106 of the Penal Code proposed by both this bill and Assembly Bill 539. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2014, (2) each bill amends Section 11106 of the Penal Code, (3) Assembly Bill 500 is not enacted or as enacted does not amend Section 11106, and (4) this bill is enacted after Assembly Bill 539 in which case Sections 1, 1.1, and 1.3 of this bill shall not become operative.~~

~~(c) Section 1.3 of this bill incorporates amendments to Section 11106 of the Penal Code proposed by this bill, Assembly Bill 500, and Assembly Bill 539. It shall only become operative if (1) all three bills are enacted and become effective on or before January 1, 2014, (2) all three bills amend Section 11106 of the Penal Code, and (3) this bill is enacted after Assembly Bill 500 and Assembly Bill 539, in which case Sections 1, 1.1, and 1.2 of this bill shall not become operative.~~

~~SEC. 18.~~

*SEC. 17.* 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.