

AMENDED IN ASSEMBLY AUGUST 7, 2013

AMENDED IN SENATE MAY 24, 2013

AMENDED IN SENATE APRIL 1, 2013

SENATE BILL

No. 683

Introduced by Senator Block

February 22, 2013

An act to amend Sections 27540, 27875, 27880, 27920, ~~and 27925, 28160, and 31620~~ of, to amend the heading of Chapter 4 (commencing with Section 31500) of Division 10 of Title 4 of Part 6 of, to amend the heading of Article 2 (commencing with Section 31610) of Chapter 4 of Division 10 of Title 4 of Part 6 of, ~~and to amend the heading of Article 3 (commencing with Section 31700) of Chapter 4 of Division 10 of Title 4 of Part 6 of,~~ to amend, repeal, and add Sections ~~16670, 26840, 31610, 31615, 31620, 31625, 31630, 31635, 31640, 31645, 31650, 31655, 31660, and 31700~~ of, *and to add Sections 16535, 16865, and 26860* to, the Penal Code, relating to firearms, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 683, as amended, Block. Firearms: firearm safety certificate.

Existing law, *subject to exceptions*, prohibits a person from purchasing or receiving any handgun without a valid handgun safety certificate, and prohibits any person from selling, delivering, loaning, or transferring any handgun to any person who does not have a valid handgun safety certificate, with exceptions, as specified. Under existing law, a violation of these provisions is a misdemeanor.

This bill would instead, commencing January 1, 2015, *and subject to exceptions*, prohibit a person from purchasing or receiving any firearm

without a valid firearm safety certificate, and would, *subject to exceptions*, prohibit any person from selling, delivering, loaning, or transferring any firearm to any person who does not have a valid firearm safety certificate. The bill would make conforming changes. The bill would also make technical, nonsubstantive changes. *The bill would, commencing January 1, 2015, and subject to exceptions, require a safe handling demonstration for purchasers of long guns, and would require the Department of Justice to adopt regulations to establish a long gun safe handling demonstration no later than January 1, 2015. The bill would define the term “long gun” for these purposes.* By expanding the scope of a crime, this bill would impose a state-mandated local program.

Existing law allows the Department of Justice to charge a certified instructor up to \$15 for each handgun safety certificate issued by that instructor and requires the funds to be deposited in the Firearms Safety and Enforcement Special Fund, which is a continuously appropriated fund.

This bill would, commencing January 1, 2015, allow the department to collect \$15 for each firearm safety certificate and would require the funds to be deposited in the Firearms Safety and Enforcement Special Fund, which is continuously appropriated, thereby making ~~and an~~ appropriation.

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: yes. Fiscal committee: yes.
State-mandated local program: yes.

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

- 1 ~~SECTION 1. Section 16670 of the Penal Code is amended to~~
- 2 ~~read:~~
- 3 ~~16670. (a) As used in this part, “handgun safety certificate”~~
- 4 ~~means a certificate issued by the Department of Justice pursuant~~
- 5 ~~to Sections 31610 to 31700, inclusive, or pursuant to former Article~~
- 6 ~~8 (commencing with Section 12800) of Chapter 6 of Title 2 of Part~~
- 7 ~~4, as that article was operative at any time from January 1, 2003,~~

1 until it was repealed by the Deadly Weapons Recodification Act
2 of 2010.

3 (b) This section shall remain in effect only until January 1, 2015,
4 and as of that date is repealed, unless a later enacted statute, that
5 is enacted before January 1, 2015, deletes or extends that date.

6 SEC. 2. Section 16670 is added to the Penal Code, to read:

7 16670. (a) As used in this part, “firearm safety certificate”
8 means a certificate issued by the Department of Justice pursuant
9 to Sections 31610 to 31700, inclusive, or pursuant to former Article
10 8 (commencing with Section 12800) of Chapter 6 of Title 2 of Part
11 4, as that article was operative at any time from January 1, 2003,
12 until it was repealed by the Deadly Weapons Recodification Act
13 of 2010.

14 (b) This section shall become operative on January 1, 2015.

15 SECTION 1. Section 16535 is added to the Penal Code, to
16 read:

17 16535. (a) As used in this part, “firearm safety certificate”
18 means a certificate issued by the Department of Justice pursuant
19 to Sections 31610 to 31700, inclusive, or pursuant to former Article
20 8 (commencing with Section 12800) of Chapter 6 of Title 2 of Part
21 4, as that article was operative at any time from January 1, 2003,
22 until it was repealed by the Deadly Weapons Recodification Act
23 of 2010.

24 (b) This section shall become operative on January 1, 2015.

25 SEC. 2. Section 16865 is added to the Penal Code, to read:

26 16865. As used in Section 26860, “long gun” means any
27 firearm that is not a handgun or a machinegun.

28 SEC. 3. Section 26840 of the Penal Code is amended to read:

29 26840. (a) A dealer shall not deliver a handgun unless the
30 person receiving the handgun presents to the dealer a valid handgun
31 safety certificate. The firearms dealer shall retain a photocopy of
32 the handgun safety certificate as proof of compliance with this
33 requirement.

34 (b) This section shall remain in effect only until January 1, 2015,
35 and as of that date is repealed, unless a later enacted statute, that
36 is enacted before January 1, 2015, deletes or extends that date.

37 SEC. 4. Section 26840 is added to the Penal Code, to read:

38 26840. (a) A dealer shall not deliver a firearm unless the person
39 receiving the firearm presents to the dealer a valid firearm safety
40 certificate, or, in the case of a handgun, an unexpired handgun

1 *safety certificate*. The firearms dealer shall retain a photocopy of
2 the firearm safety certificate as proof of compliance with this
3 requirement.

4 (b) This section shall become operative on January 1, 2015.

5 *SEC. 5. Section 26860 is added to the Penal Code, to read:*

6 26860. (a) *Except as authorized by the department,*
7 *commencing January 1, 2015, a firearms dealer shall not deliver*
8 *a long gun unless the recipient performs a safe handling*
9 *demonstration with that long gun.*

10 (b) *The department shall, not later than January 1, 2015, adopt*
11 *regulations establishing a long gun safe handling demonstration*
12 *that shall include, at a minimum, loading and unloading the long*
13 *gun.*

14 (c) *The firearms dealer shall sign and date an affidavit stating*
15 *that the requirements of subdivision (a) and the regulations*
16 *adopted pursuant to subdivision (b) have been met. The firearms*
17 *dealer shall additionally obtain the signature of the long gun*
18 *purchaser on the same affidavit. The firearms dealer shall retain*
19 *the original affidavit as proof of compliance with this section.*

20 (d) *The recipient shall perform the safe handling demonstration*
21 *for a department-certified instructor.*

22 (e) *A demonstration is not required if the dealer is returning*
23 *the long gun to the owner of the long gun.*

24 (f) *Department-certified instructors who may administer the*
25 *safe handling demonstration shall meet the requirements set forth*
26 *in subdivision (b) of Section 31635.*

27 (g) *An individual who is exempt from the requirements of*
28 *subdivision (a) of Section 31615, pursuant to Section 31700, is*
29 *also exempt from performing the safe handling demonstration.*

30 ~~SEC. 5.~~

31 *SEC. 6. Section 27540 of the Penal Code is amended to read:*

32 27540. A dealer, whether or not acting pursuant to Chapter 5
33 (commencing with Section 28050), shall not deliver a firearm to
34 a person, as follows:

35 (a) Within 10 days of the application to purchase, or, after notice
36 by the department pursuant to Section 28220, within 10 days of
37 the submission to the department of any correction to the
38 application, or within 10 days of the submission to the department
39 of any fee required pursuant to Section 28225, whichever is later.

1 (b) Unless unloaded and securely wrapped or unloaded and in
2 a locked container.

3 (c) Unless the purchaser, transferee, or person being loaned the
4 firearm presents clear evidence of the person's identity and age to
5 the dealer.

6 (d) Whenever the dealer is notified by the Department of Justice
7 that the person is prohibited by state or federal law from possessing,
8 receiving, owning, or purchasing a firearm.

9 (e) A handgun shall not be delivered unless the purchaser,
10 transferee, or person being loaned the handgun presents a handgun
11 safety certificate. Commencing January 1, 2015, any firearm,
12 including a handgun, shall not be delivered unless the purchaser,
13 transferee, or person being loaned the firearm presents a firearm
14 safety certificate to the dealer, *except that in the case of a handgun,*
15 *an unexpired handgun safety certificate may be presented.*

16 (f) A handgun shall not be delivered whenever the dealer is
17 notified by the Department of Justice that within the preceding
18 30-day period the purchaser has made another application to
19 purchase a handgun and that the previous application to purchase
20 involved none of the entities specified in subdivision (b) of Section
21 27535.

22 ~~SEC. 6.~~

23 *SEC. 7.* Section 27875 of the Penal Code is amended to read:
24 27875. Section 27545 does not apply to the transfer of a firearm
25 by gift, bequest, intestate succession, or other means from one
26 individual to another, if all of the following requirements are met:

27 (a) The transfer is infrequent, as defined in Section 16730.

28 (b) The transfer is between members of the same immediate
29 family.

30 (c) Within 30 days of taking possession of the firearm, the
31 person to whom it is transferred shall forward by prepaid mail, or
32 deliver in person to the Department of Justice, a report that includes
33 information concerning the individual taking possession of the
34 firearm, how title was obtained and from whom, and a description
35 of the firearm in question. The report forms that individuals
36 complete pursuant to this section shall be provided to them by the
37 Department of Justice.

38 (d) Until January 1, 2015, the person taking title to the firearm
39 shall first obtain a handgun safety certificate if the firearm is a
40 handgun, and commencing January 1, 2015, a firearm safety

1 certificate for any firearm, *except that in the case of a handgun,*
2 *an unexpired handgun safety certificate may be used.*

3 (e) The person receiving the firearm is 18 years of age or older.

4 ~~SEC. 7.~~

5 *SEC. 8.* Section 27880 of the Penal Code is amended to read:

6 27880. Section 27545 does not apply to the loan of a firearm
7 between persons who are personally known to each other, if all of
8 the following requirements are satisfied:

9 (a) The loan is infrequent, as defined in Section 16730.

10 (b) The loan is for any lawful purpose.

11 (c) The loan does not exceed 30 days in duration.

12 (d) Until January 1, 2015, if the firearm is a handgun, the
13 individual being loaned the firearm shall have a valid handgun
14 safety certificate. Commencing January 1, 2015, for any firearm,
15 the individual being loaned the firearm shall have a valid firearm
16 safety certificate, *except that in the case of a handgun, an*
17 *unexpired handgun safety certificate may be used.*

18 ~~SEC. 8.~~

19 *SEC. 9.* Section 27920 of the Penal Code is amended to read:

20 27920. Section 27545 does not apply to a person who takes
21 title or possession of a firearm by operation of law if the person
22 is not prohibited by state or federal law from possessing, receiving,
23 owning, or purchasing a firearm and all of the following conditions
24 are met:

25 (a) If the person taking title or possession is neither a levying
26 officer as defined in Section 481.140, 511.060, or 680.260 of the
27 Code of Civil Procedure, nor a person who is receiving that firearm
28 pursuant to subdivision (g), (i), or (j) of Section 16990, the person
29 shall, within 30 days of taking possession, forward by prepaid mail
30 or deliver in person to the Department of Justice, a report of
31 information concerning the individual taking possession of the
32 firearm, how title or possession was obtained and from whom, and
33 a description of the firearm in question.

34 (b) If the person taking title or possession is receiving the
35 firearm pursuant to subdivision (g) of Section 16990, the person
36 shall do both of the following:

37 (1) Within 30 days of taking possession, forward by prepaid
38 mail or deliver in person to the department, a report of information
39 concerning the individual taking possession of the firearm, how

1 title or possession was obtained and from whom, and a description
2 of the firearm in question.

3 (2) Until January 1, 2015, prior to taking title or possession of
4 the firearm, the person shall obtain a handgun safety certificate,
5 if the firearm is a handgun. Commencing January 1, 2015, prior
6 to taking title or possession of the firearm, the person shall obtain
7 a firearm safety certificate for any ~~firearm~~ *firearm, except that*
8 *in the case of a handgun, an unexpired handgun safety certificate*
9 *may be presented.*

10 (c) Where the person receiving title or possession of the firearm
11 is a person described in subdivision (i) of Section 16990, on the
12 date that the person is delivered the firearm, the name and other
13 information concerning the person taking possession of the firearm,
14 how title or possession of the firearm was obtained and from whom,
15 and a description of the firearm by make, model, serial number,
16 and other identifying characteristics shall be entered into the
17 Automated Firearms System (AFS) via the California Law
18 Enforcement Telecommunications System (CLETS) by the law
19 enforcement or state agency that transferred or delivered the
20 firearm, provided, however, that if the firearm is not a handgun
21 and does not have a serial number, identification number, or
22 identification mark assigned to it, that fact shall be noted in AFS.
23 An agency without access to AFS shall arrange with the sheriff of
24 the county in which the agency is located to input this information
25 via this system.

26 (d) Where the person receiving title or possession of the firearm
27 is a person described in subdivision (j) of Section 16990, on the
28 date that the person is delivered the firearm, the name and other
29 information concerning the person taking possession of the firearm,
30 how title or possession of the firearm was obtained and from whom,
31 and a description of the firearm by make, model, serial number,
32 and other identifying characteristics shall be entered into the AFS
33 via the CLETS by the law enforcement or state agency that
34 transferred or delivered the firearm, provided, however, that if the
35 firearm is not a handgun and does not have a serial number,
36 identification number, or identification mark assigned to it, that
37 fact shall be noted in AFS. An agency without access to AFS shall
38 arrange with the sheriff of the county in which the agency is located
39 to input this information via this system. In addition, that law
40 enforcement agency shall not deliver the firearm to the person

1 referred to in this subdivision unless, prior to the delivery of the
2 firearm, the person presents proof to the agency that the person is
3 the holder of a handgun safety certificate if the firearm is a
4 handgun, and commencing January 1, 2015, a firearm safety
5 certificate for any firearm, *except that in the case of a handgun,*
6 *an unexpired handgun safety certificate may be presented.*

7 (e) The reports that individuals complete pursuant to this section
8 shall be provided to them by the Department of Justice.

9 ~~SEC. 9.~~

10 *SEC. 10.* Section 27925 of the Penal Code is amended to read:

11 27925. (a) Section 27545 does not apply to a person who takes
12 possession of a firearm by operation of law in a representative
13 capacity who subsequently transfers ownership of the firearm to
14 himself or herself in an individual capacity.

15 (b) Until January 1, 2015, in the case of a handgun, the
16 individual shall obtain a handgun safety certificate prior to
17 transferring ownership to himself or herself, or taking possession
18 of a handgun in an individual capacity. Beginning January 1, 2015,
19 the individual shall obtain a firearm safety certificate prior to
20 transferring ownership to himself or herself, or taking possession
21 of a firearm in an individual capacity, *except that in the case of a*
22 *handgun, an unexpired handgun safety certificate may be used.*

23 *SEC. 11.* Section 28160 of the Penal Code is amended to read:

24 28160. (a) Until January 1, 2014, for handguns, and thereafter
25 for all firearms, the register or record of electronic transfer shall
26 include all of the following information:

27 (1) The date and time of sale.

28 (2) The make of firearm.

29 (3) Peace officer exemption status pursuant to the provisions
30 listed in subdivision (c) of Section 16585, and the agency name.

31 (4) Auction or event waiting period exemption pursuant to
32 Sections 26955 and 27655.

33 (5) Dealer waiting period exemption pursuant to Sections 26960
34 and 27660.

35 (6) Dangerous weapons permitholder waiting period exemption
36 pursuant to Sections 26965 and 27665.

37 (7) Curio and relic waiting period exemption pursuant to
38 Sections 26970 and 27670.

39 (8) California Firearms Dealer number issued pursuant to Article
40 1 (commencing with Section 26700) of Chapter 2.

- 1 (9) For transactions occurring on or after January 1, 2003, the
2 purchaser's handgun safety certificate number issued pursuant to
3 Article 2 (commencing with Section 31610) of Chapter 4 of
4 Division 10 of this title, or pursuant to former Article 8
5 (commencing with Section 12800) of Chapter 6 of Title 2 of Part
6 4, as that article read at any time from when it became operative
7 on January 1, 2003, to when it was repealed by the Deadly
8 Weapons Recodification Act of 2010.
- 9 (10) Manufacturer's name if stamped on the firearm.
- 10 (11) Model name or number, if stamped on the firearm.
- 11 (12) Serial number, if applicable.
- 12 (13) Other number, if more than one serial number is stamped
13 on the firearm.
- 14 (14) Any identification number or mark assigned to the firearm
15 pursuant to Section 23910.
- 16 (15) If the firearm is not a handgun and does not have a serial
17 number, identification number, or mark assigned to it, a notation
18 as to that fact.
- 19 (16) Caliber.
- 20 (17) Type of firearm.
- 21 (18) If the firearm is new or used.
- 22 (19) Barrel length.
- 23 (20) Color of the firearm.
- 24 (21) Full name of purchaser.
- 25 (22) Purchaser's complete date of birth.
- 26 (23) Purchaser's local address.
- 27 (24) If current address is temporary, complete permanent address
28 of purchaser.
- 29 (25) Identification of purchaser.
- 30 (26) Purchaser's place of birth (state or country).
- 31 (27) Purchaser's complete telephone number.
- 32 (28) Purchaser's occupation.
- 33 (29) Purchaser's sex.
- 34 (30) Purchaser's physical description.
- 35 (31) All legal names and aliases ever used by the purchaser.
- 36 (32) Yes or no answer to questions that prohibit purchase,
37 including, but not limited to, conviction of a felony as described
38 in Chapter 2 (commencing with Section 29800) or an offense
39 described in Chapter 3 (commencing with Section 29900) of
40 Division 9 of this title, the purchaser's status as a person described

1 in Section 8100 of the Welfare and Institutions Code, whether the
2 purchaser is a person who has been adjudicated by a court to be a
3 danger to others or found not guilty by reason of insanity, and
4 whether the purchaser is a person who has been found incompetent
5 to stand trial or placed under conservatorship by a court pursuant
6 to Section 8103 of the Welfare and Institutions Code.

7 (33) Signature of purchaser.

8 (34) Signature of salesperson, as a witness to the purchaser’s
9 signature.

10 (35) Salesperson’s certificate of eligibility number, if the
11 salesperson has obtained a certificate of eligibility.

12 (36) Name and complete address of the dealer or firm selling
13 the firearm as shown on the dealer’s license.

14 (37) The establishment number, if assigned.

15 (38) The dealer’s complete business telephone number.

16 (39) Any information required by Chapter 5 (commencing with
17 Section 28050).

18 (40) Any information required to determine whether subdivision
19 (f) of Section 27540 applies.

20 (41) A statement of the penalties for signing a fictitious name
21 or address, knowingly furnishing any incorrect information, or
22 knowingly omitting any information required to be provided for
23 the register.

24 (42) *For transactions on and after January 1, 2015, the*
25 *purchaser’s firearm safety certificate number; except that in the*
26 *case of a handgun, the number from an unexpired handgun safety*
27 *certificate may be used.*

28 (b) The purchaser shall provide the purchaser’s right thumbprint
29 on the register in a manner prescribed by the department. No
30 exception to this requirement shall be permitted except by
31 regulations adopted by the department.

32 (c) The firearms dealer shall record on the register or record of
33 electronic transfer the date that the firearm is delivered.

34 ~~SEC. 10.~~

35 *SEC. 12.* The heading of Chapter 4 (commencing with Section
36 31500) of Division 10 of Title 4 of Part 6 of the Penal Code is
37 amended to read:

38

39

CHAPTER 4. HANDGUNS AND FIREARM SAFETY

40

1 ~~SEC. 11.~~

2 *SEC. 13.* The heading of Article 2 (commencing with Section
3 31610) of Chapter 4 of Division 10 of Title 4 of Part 6 of the Penal
4 Code is amended to read:

5

6

Article 2. Firearm Safety Certificate

7

8 ~~SEC. 12.~~

9 *SEC. 14.* Section 31610 of the Penal Code is amended to read:

10 31610. (a) It is the intent of the Legislature in enacting this
11 article to require that persons who obtain handguns have a basic
12 familiarity with those firearms, including, but not limited to, the
13 safe handling and storage of those firearms. It is not the intent of
14 the Legislature to require a handgun safety certificate for the mere
15 possession of a firearm.

16 (b) This section shall remain in effect only until January 1, 2015,
17 and as of that date is repealed, unless a later enacted statute, that
18 is enacted before January 1, 2015, deletes or extends that date.

19 ~~SEC. 13.~~

20 *SEC. 15.* Section 31610 is added to the Penal Code, to read:

21 31610. (a) It is the intent of the Legislature in enacting this
22 article to require that persons who obtain firearms have a basic
23 familiarity with those firearms, including, but not limited to, the
24 safe handling and storage of those firearms. It is not the intent of
25 the Legislature to require a firearm safety certificate for the mere
26 possession of a firearm.

27 (b) This section shall become operative on January 1, 2015.

28 ~~SEC. 14.~~

29 *SEC. 16.* Section 31615 of the Penal Code is amended to read:

30 31615. (a) A person shall not do either of the following:

31 (1) Purchase or receive any handgun, except an antique firearm,
32 without a valid handgun safety certificate.

33 (2) Sell, deliver, loan, or transfer any handgun, except an antique
34 firearm, to any person who does not have a valid handgun safety
35 certificate.

36 (b) Any person who violates subdivision (a) is guilty of a
37 misdemeanor.

38 (c) The provisions of this section are cumulative, and shall not
39 be construed as restricting the application of any other law.
40 However, an act or omission punishable in different ways by

1 different provisions of this code shall not be punished under more
 2 than one provision.

3 (d) This section shall remain in effect only until January 1, 2015,
 4 and as of that date is repealed, unless a later enacted statute, that
 5 is enacted before January 1, 2015, deletes or extends that date.

6 ~~SEC. 15.~~

7 *SEC. 17.* Section 31615 is added to the Penal Code, to read:

8 31615. (a) A person shall not do either of the following:

9 (1) Purchase or receive any firearm, except an antique firearm,
 10 without a valid firearm safety certificate, *except that in the case*
 11 *of a handgun, an unexpired handgun safety certificate may be*
 12 *used.*

13 (2) Sell, deliver, loan, or transfer any firearm, except an antique
 14 firearm, to any person who does not have a valid firearm safety
 15 certificate, *except that in the case of a handgun, an unexpired*
 16 *handgun safety certificate may be used.*

17 (b) Any person who violates subdivision (a) is guilty of a
 18 misdemeanor.

19 (c) The provisions of this section are cumulative, and shall not
 20 be construed as restricting the application of any other law.
 21 However, an act or omission punishable in different ways by
 22 different provisions of this code shall not be punished under more
 23 than one provision.

24 (d) This section shall become operative on January 1, 2015.

25 ~~SEC. 16.~~

26 *SEC. 18.* Section 31620 of the Penal Code is amended to read:

27 31620. (a) A person shall not commit an act of collusion as
 28 specified in Section 27550.

29 (b) Any person who alters, counterfeits, or falsifies a handgun
 30 safety certificate, or who uses or attempts to use any altered,
 31 counterfeited, or falsified handgun safety certificate to purchase
 32 a handgun, is guilty of a misdemeanor.

33 (c) *Commencing January 1, 2015, any person who alters,*
 34 *counterfeits, or falsifies a firearm safety certificate, or who uses*
 35 *or attempts to use any altered, counterfeited, or falsified firearm*
 36 *safety certificate to purchase a firearm, is guilty of a misdemeanor.*

37 (e)

38 (d) The provisions of this section are cumulative and shall not
 39 be construed as restricting the application of any other law.
 40 However, an act or omission punishable in different ways by this

1 section and different provisions of this code shall not be punished
2 under more than one provision.

3 ~~(d) This section shall remain in effect only until January 1, 2015,~~
4 ~~and as of that date is repealed, unless a later enacted statute, that~~
5 ~~is enacted before January 1, 2015, deletes or extends that date.~~

6 ~~SEC. 17. Section 31620 is added to the Penal Code, to read:~~

7 ~~31620. (a) A person shall not commit an act of collusion as~~
8 ~~specified in Section 27550.~~

9 ~~(b) Any person who alters, counterfeits, or falsifies a firearm~~
10 ~~safety certificate, or who uses or attempts to use any altered,~~
11 ~~counterfeited, or falsified firearm safety certificate to purchase a~~
12 ~~firearm, is guilty of a misdemeanor.~~

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

18 ~~(d) This section shall become operative on January 1, 2015.~~

19 ~~SEC. 18.~~

20 ~~SEC. 19. Section 31625 of the Penal Code is amended to read:~~

21 ~~31625. (a) A certified instructor shall not issue a handgun~~
22 ~~safety certificate to any person who has not complied with this~~
23 ~~article. Proof of compliance shall be forwarded to the department~~
24 ~~by certified instructors as frequently as the department may~~
25 ~~determine.~~

26 ~~(b) A certified instructor shall not issue a handgun safety~~
27 ~~certificate to any person who is under 18 years of age.~~

28 ~~(c) A violation of this section shall be grounds for the~~
29 ~~department to revoke the instructor's certification to issue handgun~~
30 ~~safety certificates.~~

31 ~~(d) This section shall remain in effect only until January 1, 2015,~~
32 ~~and as of that date is repealed, unless a later enacted statute, that~~
33 ~~is enacted before January 1, 2015, deletes or extends that date.~~

34 ~~SEC. 19.~~

35 ~~SEC. 20. Section 31625 is added to the Penal Code, to read:~~

36 ~~31625. (a) A certified instructor shall not issue a firearm safety~~
37 ~~certificate to any person who has not complied with this article.~~
38 ~~Proof of compliance shall be forwarded to the department by~~
39 ~~certified instructors as frequently as the department may determine.~~

1 (b) A certified instructor shall not issue a firearm safety
2 certificate to any person who is under 18 years of age.

3 (c) A violation of this section shall be grounds for the
4 department to revoke the instructor's certification to issue firearm
5 safety certificates.

6 (d) This section shall become operative on January 1, 2015.

7 ~~SEC. 20.~~

8 *SEC. 21.* Section 31630 of the Penal Code is amended to read:

9 31630. (a) The department shall develop an instruction manual
10 in English and in Spanish by October 1, 2002. The department
11 shall make the instructional manual available to firearms dealers
12 licensed pursuant to Sections 26700 to 26915, inclusive, who shall
13 make it available to the general public. Essential portions of the
14 manual may be included in the pamphlet described in Section
15 34205.

16 (b) The department shall develop audiovisual materials in
17 English and in Spanish by March 1, 2003, to be issued to instructors
18 certified by the department.

19 (c) The department shall solicit input from any reputable
20 association or organization, including any law enforcement
21 association that has as one of its objectives the promotion of
22 firearms safety, in the development of the handgun safety certificate
23 instructional materials.

24 (d) This section shall remain in effect only until January 1, 2015,
25 and as of that date is repealed, unless a later enacted statute, that
26 is enacted before January 1, 2015, deletes or extends that date.

27 ~~SEC. 21.~~

28 *SEC. 22.* Section 31630 is added to the Penal Code, to read:

29 31630. (a) The department shall develop an instruction manual
30 in English and in Spanish. The department shall make the
31 instructional manual available to firearms dealers licensed pursuant
32 to Sections 26700 to 26915, inclusive, who shall make it available
33 to the general public. Essential portions of the manual may be
34 included in the pamphlet described in Section 34205.

35 (b) The department shall develop audiovisual materials in
36 English and in Spanish to be issued to instructors certified by the
37 department.

38 (c) The department shall solicit input from any reputable
39 association or organization, including any law enforcement
40 association that has as one of its objectives the promotion of

1 firearms safety, in the development of the firearm safety certificate
2 instructional materials.

3 (d) This section shall become operative on January 1, 2015.

4 ~~SEC. 22.~~

5 *SEC. 23.* Section 31635 of the Penal Code is amended to read:

6 31635. (a) The department shall prescribe a minimum level
7 of skill, knowledge, and competency to be required of all handgun
8 safety certificate instructors.

9 (b) Department Certified Instructor applicants shall have a
10 certification to provide training from one of the following
11 organizations, as specified, or any entity found by the department
12 to give comparable instruction in firearms safety, or the applicant
13 shall have similar or equivalent training to that provided by the
14 following, as determined by the department:

15 (1) Department of Consumer Affairs, State of California-Firearm
16 Training Instructor.

17 (2) Director of Civilian Marksmanship, Instructor or
18 Rangemaster.

19 (3) Federal Government, Certified Rangemaster or Firearm
20 Instructor.

21 (4) Federal Law Enforcement Training Center, Firearm
22 Instructor Training Program or Rangemaster.

23 (5) United States Military, Military Occupational Specialty
24 (MOS) as marksmanship or firearms instructor. Assignment as
25 Range Officer or Safety Officer is not sufficient.

26 (6) National Rifle Association-Certified Instructor, Law
27 Enforcement Instructor, Rangemaster, or Training Counselor.

28 (7) Commission on Peace Officer Standards and Training
29 (POST), State of California-Firearm Instructor or Rangemaster.

30 (8) Authorization from a State of California accredited school
31 to teach a firearm training course.

32 (c) This section shall remain in effect only until January 1, 2015,
33 and as of that date is repealed, unless a later enacted statute, that
34 is enacted before January 1, 2015, deletes or extends that date.

35 ~~SEC. 23.~~

36 *SEC. 24.* Section 31635 is added to the Penal Code, to read:

37 31635. (a) The department shall prescribe a minimum level
38 of skill, knowledge, and competency to be required of all firearm
39 safety certificate instructors.

1 (b) Department Certified Instructor applicants shall have a
2 certification to provide training from one of the following
3 organizations, as specified, or any entity found by the department
4 to give comparable instruction in firearms safety, or the applicant
5 shall have similar or equivalent training to that provided by the
6 following, as determined by the department:

7 (1) Department of Consumer Affairs, State of California-Firearm
8 Training Instructor.

9 (2) Director of Civilian Marksmanship, Instructor or
10 Rangemaster.

11 (3) Federal Government, Certified Rangemaster or Firearm
12 Instructor.

13 (4) Federal Law Enforcement Training Center, Firearm
14 Instructor Training Program or Rangemaster.

15 (5) United States Military, Military Occupational Specialty
16 (MOS) as marksmanship or firearms instructor. Assignment as
17 Range Officer or Safety Officer is not sufficient.

18 (6) National Rifle Association-Certified Instructor, Law
19 Enforcement Instructor, Rangemaster, or Training Counselor.

20 (7) Commission on Peace Officer Standards and Training
21 (POST), State of California-Firearm Instructor or Rangemaster.

22 (8) Authorization from a State of California accredited school
23 to teach a firearm training course.

24 (c) This section shall become operative on January 1, 2015.

25 ~~SEC. 24.~~

26 *SEC. 25.* Section 31640 of the Penal Code is amended to read:

27 31640. (a) The department shall develop a written objective
28 test, in English and in Spanish, and prescribe its content, form,
29 and manner, to be administered by an instructor certified by the
30 department.

31 (b) If the person taking the test is unable to read, the examination
32 shall be administered orally. If the person taking the test is unable
33 to read English or Spanish, the test may be applied orally by a
34 translator.

35 (c) The test shall cover, but not be limited to, all of the
36 following:

37 (1) The laws applicable to carrying and handling firearms,
38 particularly handguns.

39 (2) The responsibilities of ownership of firearms, particularly
40 handguns.

1 (3) Current law as it relates to the private sale and transfer of
2 firearms.

3 (4) Current law as it relates to the permissible use of lethal force.

4 (5) What constitutes safe firearm storage.

5 (6) Issues associated with bringing a handgun into the home.

6 (7) Prevention strategies to address issues associated with
7 bringing firearms into the home.

8 (d) The department shall update test materials related to this
9 article every five years.

10 (e) If a dealer licensed pursuant to Sections 26700 to 26915,
11 inclusive, or his or her employee, or where the managing officer
12 or partner is certified as an instructor pursuant to this article, he
13 or she shall also designate a separate room or partitioned area for
14 a person to take the objective test, and maintain adequate
15 supervision to ~~assure~~ ensure that no acts of collusion occur while
16 the objective test is being administered.

17 (f) This section shall remain in effect only until January 1, 2015,
18 and as of that date is repealed, unless a later enacted statute, that
19 is enacted before January 1, 2015, deletes or extends that date.

20 ~~SEC. 25:~~

21 *SEC. 26.* Section 31640 is added to the Penal Code, to read:

22 31640. (a) The department shall develop a written objective
23 test, in English and in Spanish, and prescribe its content, form,
24 and manner, to be administered by an instructor certified by the
25 department.

26 (b) If the person taking the test is unable to read, the examination
27 shall be administered orally. If the person taking the test is unable
28 to read English or Spanish, the test may be applied orally by a
29 translator.

30 (c) The test shall cover, but not be limited to, all of the
31 following:

32 (1) The laws applicable to carrying and handling firearms,
33 particularly handguns.

34 (2) The responsibilities of ownership of firearms, particularly
35 handguns.

36 (3) Current law as it relates to the private sale and transfer of
37 firearms.

38 (4) Current law as it relates to the permissible use of lethal force.

39 (5) What constitutes safe firearm storage.

40 (6) Issues associated with bringing a firearm into the home.

1 (7) Prevention strategies to address issues associated with
2 bringing firearms into the home.

3 (d) The department shall update test materials related to this
4 article every five years.

5 (e) If a dealer licensed pursuant to Sections 26700 to 26915,
6 inclusive, or his or her employee, or where the managing officer
7 or partner is certified as an instructor pursuant to this article, he
8 or she shall also designate a separate room or partitioned area for
9 a person to take the objective test, and maintain adequate
10 supervision to ~~assure~~ *ensure* that no acts of collusion occur while
11 the objective test is being administered.

12 (f) This section shall become operative on January 1, 2015.

13 ~~SEC. 26.~~

14 *SEC. 27.* Section 31645 of the Penal Code is amended to read:

15 31645. (a) An applicant for a handgun safety certificate shall
16 successfully pass the objective test referred to in Section 31640,
17 with a passing grade of at least 75 percent. Any person receiving
18 a passing grade on the objective test shall immediately be issued
19 a handgun safety certificate by the instructor.

20 (b) An applicant who fails to pass the objective test upon the
21 first attempt shall be offered additional instructional materials by
22 the instructor, such as a videotape or booklet. The person may not
23 retake the objective test under any circumstances until 24 hours
24 have elapsed after the failure to pass the objective test upon the
25 first attempt. The person failing the test on the first attempt shall
26 take another version of the test upon the second attempt. All tests
27 shall be taken from the same instructor except upon permission
28 by the department, which shall be granted only for good cause
29 shown. The instructor shall make himself or herself available to
30 the applicant during regular business hours in order to retake the
31 test.

32 (c) This section shall remain in effect only until January 1, 2015,
33 and as of that date is repealed, unless a later enacted statute, that
34 is enacted before January 1, 2015, deletes or extends that date.

35 ~~SEC. 27.~~

36 *SEC. 28.* Section 31645 is added to the Penal Code, to read:

37 31645. (a) An applicant for a firearm safety certificate shall
38 successfully pass the objective test referred to in Section 31640,
39 with a passing grade of at least 75 percent. Any person receiving

1 a passing grade on the objective test shall immediately be issued
2 a firearm safety certificate by the instructor.

3 (b) An applicant who fails to pass the objective test upon the
4 first attempt shall be offered additional instructional materials by
5 the instructor, such as a videotape or booklet. The person may not
6 retake the objective test under any circumstances until 24 hours
7 have elapsed after the failure to pass the objective test upon the
8 first attempt. The person failing the test on the first attempt shall
9 take another version of the test upon the second attempt. All tests
10 shall be taken from the same instructor except upon permission
11 by the department, which shall be granted only for good cause
12 shown. The instructor shall make himself or herself available to
13 the applicant during regular business hours in order to retake the
14 test.

15 (c) This section shall become operative on January 1, 2015.

16 ~~SEC. 28.~~

17 *SEC. 29.* Section 31650 of the Penal Code is amended to read:

18 31650. (a) The certified instructor may charge a fee of
19 twenty-five dollars (\$25), fifteen dollars (\$15) of which is to be
20 paid to the department pursuant to subdivision (c).

21 (b) An applicant to renew a handgun safety certificate shall be
22 required to pass the objective test. The certified instructor may
23 charge a fee of twenty-five dollars (\$25), fifteen dollars (\$15) of
24 which is to be forwarded to the department pursuant to subdivision
25 (c).

26 (c) The department may charge the certified instructor up to
27 fifteen dollars (\$15) for each handgun safety certificate issued by
28 that instructor to cover the department's cost in carrying out and
29 enforcing this article, and enforcing the provisions listed in
30 subdivision (e), as determined annually by the department.

31 (d) All money received by the department pursuant to this article
32 shall be deposited into the Firearms Safety and Enforcement
33 Special Fund created pursuant to Section 28300.

34 (e) The department shall conduct enforcement activities,
35 including, but not limited to, law enforcement activities to ensure
36 compliance with the following provisions:

37 (1) Section 830.95.

38 (2) Title 2 (commencing with Section 12001) of Part 4.

39 (3) This part, except Sections 16965, 17235, and 21510.

1 (f) This section shall remain in effect only until January 1, 2015,
2 and as of that date is repealed, unless a later enacted statute, that
3 is enacted before January 1, 2015, deletes or extends that date.

4 ~~SEC. 29.~~

5 *SEC. 30.* Section 31650 is added to the Penal Code, to read:

6 31650. (a) The certified instructor may charge a fee of
7 twenty-five dollars (\$25), fifteen dollars (\$15) of which is to be
8 paid to the department pursuant to subdivision (c).

9 (b) An applicant to renew a firearm safety certificate shall be
10 required to pass the objective test. The certified instructor may
11 charge a fee of twenty-five dollars (\$25), fifteen dollars (\$15) of
12 which is to be forwarded to the department pursuant to subdivision
13 (c).

14 (c) The department may charge the certified instructor up to
15 fifteen dollars (\$15) for each firearm safety certificate issued by
16 that instructor to cover the department’s cost in carrying out and
17 enforcing this article, and enforcing the provisions listed in
18 subdivision (e), as determined annually by the department.

19 (d) All money received by the department pursuant to this article
20 shall be deposited into the Firearms Safety and Enforcement
21 Special Fund created pursuant to Section 28300.

22 (e) The department shall conduct enforcement activities,
23 including, but not limited to, law enforcement activities to ensure
24 compliance with the following provisions:

- 25 (1) Section 830.95.
- 26 (2) Title 2 (commencing with Section 12001) of Part 4.
- 27 (3) This part, except Sections 16965, 17235, and 21510.

28 (f) This section shall become operative on January 1, 2015.

29 ~~SEC. 30.~~

30 *SEC. 31.* Section 31655 of the Penal Code is amended to read:

31 31655. (a) The department shall develop handgun safety
32 certificates to be issued by instructors certified by the department
33 to those persons who have complied with this article.

34 (b) A handgun safety certificate shall include, but not be limited
35 to, the following information:

- 36 (1) A unique handgun safety certificate identification number.
- 37 (2) The holder’s full name.
- 38 (3) The holder’s date of birth.
- 39 (4) The holder’s driver’s license or identification number.
- 40 (5) The holder’s signature.

1 (6) The signature of the issuing instructor.

2 (7) The date of issuance.

3 (c) The handgun safety certificate shall expire five years after
4 the date that it was issued by the certified instructor.

5 (d) This section shall remain in effect only until January 1, 2015,
6 and as of that date is repealed, unless a later enacted statute, that
7 is enacted before January 1, 2015, deletes or extends that date.

8 ~~SEC. 31.~~

9 *SEC. 32.* Section 31655 is added to the Penal Code, to read:

10 31655. (a) The department shall develop firearm safety
11 certificates to be issued by instructors certified by the department
12 to those persons who have complied with this article.

13 (b) A firearm safety certificate shall include, but not be limited
14 to, the following information:

15 (1) A unique firearm safety certificate identification number.

16 (2) The holder's full name.

17 (3) The holder's date of birth.

18 (4) The holder's driver's license or identification number.

19 (5) The holder's signature.

20 (6) The signature of the issuing instructor.

21 (7) The date of issuance.

22 (c) The firearm safety certificate shall expire five years after
23 the date that it was issued by the certified instructor.

24 (d) This section shall become operative on January 1, 2015.

25 ~~SEC. 32.~~

26 *SEC. 33.* Section 31660 of the Penal Code is amended to read:

27 31660. (a) In the case of loss or destruction of a handgun safety
28 certificate, the issuing instructor shall issue a duplicate certificate
29 upon request and proof of identification to the certificate holder.

30 (b) The department may authorize the issuing instructor to
31 charge a fee, not to exceed fifteen dollars (\$15), for a duplicate
32 certificate. Revenues from this fee shall be deposited in the
33 Firearms Safety and Enforcement Special Fund created pursuant
34 to Section 28300.

35 (c) This section shall remain in effect only until January 1, 2015,
36 and as of that date is repealed, unless a later enacted statute, that
37 is enacted before January 1, 2015, deletes or extends that date.

38 ~~SEC. 33.~~

39 *SEC. 34.* Section 31660 is added to the Penal Code, to read:

1 31660. (a) In the case of loss or destruction of a firearm safety
 2 certificate, the issuing instructor shall issue a duplicate certificate
 3 upon request and proof of identification to the certificate holder.

4 (b) *In the case of loss or destruction of a handgun safety*
 5 *certificate, the issuing instructor shall issue a duplicate certificate*
 6 *upon request and proof of identification to the certificate holder,*
 7 *which shall be valid only for the balance of the unexpired term of*
 8 *the original certificate.*

9 ~~(b)~~

10 (c) The department may authorize the issuing instructor to
 11 charge a fee, not to exceed fifteen dollars (\$15), for a duplicate
 12 certificate. Revenues from this fee shall be deposited in the
 13 Firearms Safety and Enforcement Special Fund created pursuant
 14 to Section 28300.

15 ~~(e)~~

16 (d) This section shall become operative on January 1, 2015.

17 *SEC. 35. The heading of Article 3 (commencing with Section*
 18 *31700) of Chapter 4 of Division 10 of Title 4 of Part 6 of the Penal*
 19 *Code is amended to read:*

20

21 Article 3. Exceptions to ~~Handgun~~ Firearm Safety Certificate
 22 Requirement

23

24 ~~SEC. 34.~~

25 *SEC. 36. Section 31700 of the Penal Code is amended to read:*

26 31700. (a) The following persons, properly identified, are
 27 exempted from the handgun safety certificate requirement in
 28 subdivision (a) of Section 31615:

29 (1) Any active or honorably retired peace officer, as defined in
 30 Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2.

31 (2) Any active or honorably retired federal officer or law
 32 enforcement agent.

33 (3) Any reserve peace officer, as defined in Section 832.6.

34 (4) Any person who has successfully completed the course of
 35 training specified in Section 832.

36 (5) A firearms dealer licensed pursuant to Sections 26700 to
 37 26915, inclusive, who is acting in the course and scope of that
 38 person's activities as a person licensed pursuant to Sections 26700
 39 to 26915, inclusive.

1 (6) A federally licensed collector who is acquiring or being
2 loaned a handgun that is a curio or relic, as defined in Section
3 478.11 of Title 27 of the Code of Federal Regulations, who has a
4 current certificate of eligibility issued by the department pursuant
5 to Section 26710.

6 (7) A person to whom a handgun is being returned, where the
7 person receiving the firearm is the owner of the firearm.

8 (8) A family member of a peace officer or deputy sheriff from
9 a local agency who receives a firearm pursuant to Section 50081
10 of the Government Code.

11 (9) Any individual who has a valid concealed weapons permit
12 issued pursuant to Chapter 4 (commencing with Section 26150)
13 of Division 5.

14 (10) An active or honorably retired member of the United States
15 Armed Forces, the National Guard, the Air National Guard, or the
16 active reserve components of the United States, where individuals
17 in those organizations are properly identified. For purposes of this
18 section, proper identification includes the Armed Forces
19 Identification Card or other written documentation certifying that
20 the individual is an active or honorably retired member.

21 (11) Any person who is authorized to carry loaded firearms
22 pursuant to Section 26025 or 26030.

23 (12) Persons who are the holders of a special weapons permit
24 issued by the department pursuant to Section 32650 or 33300,
25 pursuant to Article 3 (commencing with Section 18900) of Chapter
26 1 of Division 5 of Title 2, or pursuant to Article 4 (commencing
27 with Section 32700) of Chapter 6 of this division.

28 (b) The following persons who take title or possession of a
29 handgun by operation of law in a representative capacity, until or
30 unless they transfer title ownership of the handgun to themselves
31 in a personal capacity, are exempted from the handgun safety
32 certificate requirement in subdivision (a) of Section 31615:

33 (1) The executor or administrator of an estate.

34 (2) A secured creditor or an agent or employee thereof when
35 the firearms are possessed as collateral for, or as a result of, or an
36 agent or employee thereof when the firearms are possessed as
37 collateral for, or as a result of, a default under a security agreement
38 under the Commercial Code.

39 (3) A levying officer, as defined in Section 481.140, 511.060,
40 or 680.260 of the Code of Civil Procedure.

- 1 (4) A receiver performing the functions of a receiver.
- 2 (5) A trustee in bankruptcy performing the duties of a trustee.
- 3 (6) An assignee for the benefit of creditors performing the
- 4 functions of an assignee.
- 5 (c) This section shall remain in effect only until January 1, 2015,
- 6 and as of that date is repealed, unless a later enacted statute, that
- 7 is enacted before January 1, 2015, deletes or extends that date.

8 ~~SEC. 35.~~

9 *SEC. 37.* Section 31700 is added to the Penal Code, to read:

10 31700. (a) The following persons, properly identified, are
11 exempted from the firearm safety certificate requirement in
12 subdivision (a) of Section 31615:

13 (1) Any active or honorably retired peace officer, as defined in
14 Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2.

15 (2) Any active or honorably retired federal officer or law
16 enforcement agent.

17 (3) Any reserve peace officer, as defined in Section 832.6.

18 (4) Any person who has successfully completed the course of
19 training specified in Section 832.

20 (5) A firearms dealer licensed pursuant to Sections 26700 to
21 26915, inclusive, who is acting in the course and scope of that
22 person’s activities as a person licensed pursuant to Sections 26700
23 to 26915, inclusive.

24 (6) A federally licensed collector who is acquiring or being
25 loaned a firearm that is a curio or relic, as defined in Section 478.11
26 of Title 27 of the Code of Federal Regulations, who has a current
27 certificate of eligibility issued by the department pursuant to
28 Section 26710.

29 (7) A person to whom a firearm is being returned, where the
30 person receiving the firearm is the owner of the firearm.

31 (8) A family member of a peace officer or deputy sheriff from
32 a local agency who receives a firearm pursuant to Section 50081
33 of the Government Code.

34 (9) Any individual who has a valid concealed weapons permit
35 issued pursuant to Chapter 4 (commencing with Section 26150)
36 of Division 5.

37 (10) An active or honorably retired member of the United States
38 Armed Forces, the National Guard, the Air National Guard, or the
39 active reserve components of the United States, where individuals
40 in those organizations are properly identified. For purposes of this

1 section, proper identification includes the Armed Forces
2 Identification Card or other written documentation certifying that
3 the individual is an active or honorably retired member.

4 (11) Any person who is authorized to carry loaded firearms
5 pursuant to Section 26025 or 26030.

6 (12) Persons who are the holders of a special weapons permit
7 issued by the department pursuant to Section 32650 or 33300,
8 pursuant to Article 3 (commencing with Section 18900) of Chapter
9 1 of Division 5 of Title 2, or pursuant to Article 4 (commencing
10 with Section 32700) of Chapter 6 of this division.

11 (b) The following persons who take title or possession of a
12 firearm by operation of law in a representative capacity, until or
13 unless they transfer title ownership of the firearm to themselves
14 in a personal capacity, are exempted from the firearm safety
15 certificate requirement in subdivision (a) of Section 31615:

16 (1) The executor or administrator of an estate.

17 (2) A secured creditor or an agent or employee thereof when
18 the firearms are possessed as collateral for, or as a result of, or an
19 agent or employee thereof when the firearms are possessed as
20 collateral for, or as a result of, a default under a security agreement
21 under the Commercial Code.

22 (3) A levying officer, as defined in Section 481.140, 511.060,
23 or 680.260 of the Code of Civil Procedure.

24 (4) A receiver performing the functions of a receiver.

25 (5) A trustee in bankruptcy performing the duties of a trustee.

26 (6) An assignee for the benefit of creditors performing the
27 functions of an assignee.

28 (c) *A person, validly identified, who has been issued a valid*
29 *hunting license that is unexpired or that was issued for the hunting*
30 *season immediately preceding the calendar year in which the*
31 *person takes title of possession of a firearm is exempt from the*
32 *firearm safety certificate requirement in subdivision (a) of Section*
33 *31615, except as to handguns.*

34 (e)

35 (d) This section shall become operative on January 1, 2015.

36 ~~SEC. 36.~~

37 ~~SEC. 38.~~ No reimbursement is required by this act pursuant to
38 Section 6 of Article XIII B of the California Constitution because
39 the only costs that may be incurred by a local agency or school
40 district will be incurred because this act creates a new crime or

1 infraction, eliminates a crime or infraction, or changes the penalty
2 for a crime or infraction, within the meaning of Section 17556 of
3 the Government Code, or changes the definition of a crime within
4 the meaning of Section 6 of Article XIII B of the California
5 Constitution.

O