

AMENDED IN SENATE MAY 6, 2014

SENATE BILL

No. 1456

Introduced by Senator Nielsen

February 21, 2014

An act to ~~amend Section 30625 of~~ *add Section 30626 to* the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

SB 1456, as amended, Nielsen. Firearms: Assault weapons and .50 BMG rifles: exemptions.

Existing law generally makes it a crime to possess, manufacture, distribute, transport, import for sale, keep for sale, offer or expose for sale, or give or lend any assault weapon or .50 BMG rifle. Under existing law, these prohibitions on assault weapons and .50 BMG rifles do not apply to the sale to, purchase by, importation ~~of~~ *by*, or possession by, the Department of Justice, the Department of Corrections and Rehabilitation, or to any police department or sheriff's office, among other entities.

This bill would also make the above prohibitions inapplicable to the ~~sale to, purchase by, importation of, or possession of, assault weapons or .50 BMG rifles by~~ *sale of an assault weapon or a .50 BMG rifle to, or the purchase, importation, or possession of an assault weapon or a .50 BMG rifle by*, the Department of Forestry and Fire Protection. *The bill would authorize the department to issue an assault weapon or a .50 BMG rifle to a peace officer employed by the department for use in performing the officer's duties, as specified.*

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

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

1 SECTION 1. Section 30626 is added to the Penal Code, to
2 read:

3 30626. (a) Sections 30600, 30605, and 30610 do not apply to
4 the sale of an assault weapon or a .50 BMG rifle to, or the
5 purchase, importation, or possession of an assault weapon or a
6 .50 BMG rifle by, the Department of Forestry and Fire Protection.

7 (b) The Department of Forestry and Fire Protection may issue
8 an assault weapon or .50 BMG rifle to a sworn peace officer within
9 the department if the department determines that an assault weapon
10 or .50 BMG rifle is necessary for the officer to perform his or her
11 duties.

12 (c) Sections 30605 and 30610 do not prohibit the possession or
13 use in the course and scope of an officer’s duties of an assault
14 weapon or .50 BMG rifle by a sworn peace officer who is employed
15 by the Department of Forestry and Fire Protection.

16 SECTION 1. ~~Section 30625 of the Penal Code is amended to~~
17 read:

18 ~~30625. Sections 30600, 30605, and 30610 shall not apply to~~
19 ~~the sale to, purchase by, importation of, or possession of assault~~
20 ~~weapons or a .50 BMG rifle by the Department of Justice, police~~
21 ~~departments, sheriffs’ offices, marshals’ offices, the Department~~
22 ~~of Corrections and Rehabilitation, the Department of the California~~
23 ~~Highway Patrol, district attorneys’ offices, the Department of Fish~~
24 ~~and Wildlife, the Department of Forestry and Fire Protection, the~~
25 ~~Department of Parks and Recreation, or the military or naval forces~~
26 ~~of this state or of the United States, or any federal law enforcement~~
27 ~~agency for use in the discharge of their official duties.~~

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