

AMENDED IN SENATE MAY 17, 2016

AMENDED IN SENATE MAY 11, 2016

AMENDED IN SENATE MAY 4, 2016

AMENDED IN SENATE MAY 18, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1511

Introduced by Assembly Members Santiago and Chiu

March 5, 2015

An act to amend ~~Sections 27880 and 27950~~ *Section 27880* of the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

AB 1511, as amended, Santiago. Firearms: lending.

~~(1) Existing~~

Existing law generally requires the loan of a firearm to be conducted through a licensed firearms dealer. A violation of this provision is a crime. Existing law exempts from this requirement a loan of a firearm between persons who are personally known to each other, if the loan is infrequent and does not exceed 30 days in duration.

This bill would instead limit that exemption to the loan of a firearm to a spouse or registered domestic partner, or to a parent, child, sibling, grandparent, or grandchild, related as specified. *The bill would require a handgun loaned pursuant to these provisions to be registered to the person loaning the handgun.* By expanding the application of an existing crime, this bill would impose a state-mandated local program.

~~(2) Existing law exempts from the requirement to conduct the loan of a firearm through a licensed firearms dealer a loan made to a licensed~~

~~hunter for use by that hunter for a period of time not to exceed the duration of the hunting season for which the firearm is to be used.~~

~~This bill would instead exempt from that requirement the loan of a firearm to a person who has a valid hunting license issued by the State of California and only possesses the firearm while hunting. By expanding the application of an existing crime, this bill would impose a state-mandated local program.~~

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 27880 of the Penal Code is amended to
- 2 read:
- 3 27880. Section 27545 does not apply to the loan of a firearm
- 4 if all of the following requirements are satisfied:
- 5 (a) The loan is to a spouse, registered domestic partner, or any
- 6 of the following relations, whether by consanguinity, adoption, or
- 7 steprelation:
- 8 (1) Parent.
- 9 (2) Child.
- 10 (3) Sibling.
- 11 (4) Grandparent.
- 12 (5) Grandchild.
- 13 (b) The loan is infrequent, as defined in Section 16730.
- 14 (c) The loan is for any lawful purpose.
- 15 (d) The loan does not exceed 30 days in duration.
- 16 (e) Until January 1, 2015, if the firearm is a handgun, the
- 17 individual being loaned the firearm shall have a valid handgun
- 18 safety certificate. Commencing January 1, 2015, for any firearm,
- 19 the individual being loaned the firearm shall have a valid firearm
- 20 safety certificate, except that in the case of a handgun, an unexpired
- 21 handgun safety certificate may be used.
- 22 (f) *If the firearm being loaned is a handgun, the handgun is*
- 23 *registered to the person making the loan pursuant to Section 11106.*

1 ~~SEC. 2.—~~ Section 27950 of the Penal Code is amended to read:
2 ~~27950.—~~ Section 27545 does not apply to the loan of a firearm,
3 ~~other than a handgun, to a person who has a valid hunting license~~
4 ~~issued by the State of California and only possesses the firearm~~
5 ~~while hunting.~~

6 ~~SEC. 3.—~~

7 SEC. 2. No reimbursement is required by this act pursuant to
8 Section 6 of Article XIII B of the California Constitution because
9 the only costs that may be incurred by a local agency or school
10 district will be incurred because this act creates a new crime or
11 infraction, eliminates a crime or infraction, or changes the penalty
12 for a crime or infraction, within the meaning of Section 17556 of
13 the Government Code, or changes the definition of a crime within
14 the meaning of Section 6 of Article XIII B of the California
15 Constitution.