

Introduced by Senator HillJanuary 12, 2016

An act to add Section 25452 to the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

SB 869, as introduced, Hill. Firearms: securing handguns in vehicles.

Existing law prohibits a person who is 18 years of age or older, and who is the owner, lessee, renter, or other legal occupant of a residence, who owns a firearm and who knows or has reason to know that another person also residing there is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm from keeping a firearm in that residence, unless the firearm is secured, as specified. A violation of this prohibition is a misdemeanor.

This bill would require a person, when leaving a handgun in a vehicle, to secure the handgun by locking it in the trunk of the vehicle or locking it in a locked container and placing the container out of plain view. The bill would make a violation of these requirements an infraction punishable by a fine not exceeding \$1,000.

By creating a new 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 25452 is added to the Penal Code, to
2 read:

3 25452. (a) Notwithstanding Section 25450, a person shall,
4 when leaving a handgun in a vehicle, lock the handgun in the
5 vehicle’s trunk or lock the handgun in a locked container and place
6 the container out of plain view.

7 (b) A violation of subdivision (a) is an infraction punishable by
8 a fine not exceeding one thousand dollars (\$1,000).

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