

AMENDED IN SENATE APRIL 11, 2016

AMENDED IN SENATE MARCH 17, 2016

**SENATE BILL**

**No. 1006**

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**Introduced by Senator Wolk**

**(Principal coauthors: Senators De León and Pan)**

(Principal coauthors: Assembly Members Dodd and Quirk)

**(Coauthors: Senators Allen, Block, Glazer, Hall, Hancock, and Hertzberg)**

(Coauthors: Assembly Members Baker, Cooper, Cristina Garcia, Gonzalez, *Jones-Sawyer*, Levine, McCarty, Santiago, and Ting)

February 10, 2016

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An act to add Title 12.2 (commencing with Section 14230) to Part 4 of the Penal Code, relating to firearm violence research.

LEGISLATIVE COUNSEL'S DIGEST

SB 1006, as amended, Wolk. Firearm Violence Research Center.

Existing law establishes and funds various research centers and programs in conjunction with the University of California.

This bill would enact the California Firearm Violence Research Act. The bill would declare the intent of the Legislature that the Regents of the University of California establish the California Firearm Violence Research Center to research firearm-related violence. The bill would declare legislative intent regarding the principles by which the university would administer the center and award research funds, as prescribed. The bill would require the university to report, on or before December 31, 2017, and every 5 years thereafter, specified information regarding the activities of the center and information pertaining to research grants. The bill would require the center *and the grant recipients* to provide copies of ~~its~~ *their* research publications to the ~~Legislature~~. *Legislature*

*and specified agencies.* The bill would specify that its provisions would apply to the university only to the extent that the ~~Regents~~, *regents*, by resolution, make any of the provisions of the bill applicable to the university.

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

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

1 SECTION 1. Title 12.2 (commencing with Section 14230) is  
2 added to Part 4 of the Penal Code, to read:

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4 TITLE 12.2. CALIFORNIA FIREARM VIOLENCE  
5 RESEARCH ACT  
6

7 14230. The Legislature finds and declares the following:

8 (a) Firearm violence is a significant public health and public  
9 safety problem in California and nationwide. Nationally, rates of  
10 fatal firearm violence have remained essentially unchanged for  
11 more than a decade, as declines in homicide have been offset by  
12 increases in suicide.

13 (b) California has been the site of some of the nation’s most  
14 infamous mass shootings, such as those at a McDonald’s in San  
15 Ysidro, at Cleveland Elementary School in Stockton, near UC  
16 Santa Barbara in Isla Vista, and most recently at the Inland  
17 Regional Center in San Bernardino. Yet public mass shootings  
18 account for less than 1 percent of firearm violence. In 2014, there  
19 were 2,939 firearm-related deaths in California, including 1,582  
20 suicides, 1,230 homicides, 89 deaths by legal intervention, and 38  
21 unintentional or undetermined deaths. In communities where  
22 firearm violence is a frequent occurrence, the very structure of  
23 daily life is affected.

24 (c) Nationwide, the annual societal cost of firearm violence was  
25 estimated at two hundred twenty-nine billion dollars  
26 (\$229,000,000,000) in 2012. A significant share of this burden  
27 falls on California. In 2013, the Office of Statewide Health  
28 Planning and Development noted that government-sponsored  
29 insurance programs covered nearly two-thirds of the costs of  
30 hospitalizations for firearm assaults in California, and about-half

1 *one-half of* the costs of hospitalizations for unintentional injuries  
2 or those resulting from deliberate self-harm.

3 (d) California has been a leader in responding to this continuing  
4 crisis. However, although rates of fatal firearm violence in  
5 California are well below average for the 50 states, they are not  
6 low enough.

7 (e) Too little is known about firearm violence and its prevention.  
8 This is in substantial part because too little research has been done.  
9 The need for more research and more sophisticated research has  
10 repeatedly been emphasized. Because there has been so little  
11 support for research, only a small number of trained investigators  
12 are available.

13 (f) When confronted by other major health and social problems,  
14 California and the nation have mounted effective responses,  
15 coupling an expanded research effort with policy reform in the  
16 public's interest. Motor vehicle accidents, cancer, heart disease,  
17 and tobacco use are all examples of the benefits of this approach.

18 (g) Federal funding for firearm violence research through the  
19 Centers for Disease Control *and Prevention* has been virtually  
20 eliminated by Congress since 1996, leaving a major gap that must  
21 be filled by other sources.

22 14231. (a) It is the intent of the Legislature to establish a center  
23 for research into firearm-related violence. It is the intent of the  
24 Legislature that the center be administered by the University of  
25 California pursuant to the following principles:

26 (1) Interdisciplinary work of the center shall address the  
27 following:

28 (A) The nature of firearm violence, including individual and  
29 societal determinants of risk for involvement in firearm violence,  
30 whether as a victim or a perpetrator.

31 (B) The individual, community, and societal consequences of  
32 firearm violence.

33 (C) Prevention and treatment of firearm violence at the  
34 individual, community, and societal levels.

35 (2) The center shall conduct basic, translational, and  
36 transformative research with a mission to provide the scientific  
37 evidence on which sound firearm violence prevention policies and  
38 programs can be based. Its research shall ~~extend to firearm violence~~  
39 ~~as a form of terrorism.~~ *include, but not be limited to, the*  
40 *effectiveness of existing laws and policies intended to reduce*

1 *firearm violence, including the criminal misuse of firearms, and*  
2 *efforts to promote the responsible ownership and use of firearms.*

3 (3) The center shall work on a continuing basis with  
4 policymakers in the Legislature and state agencies to identify,  
5 implement, and evaluate innovative firearm violence prevention  
6 policies and programs.

7 (4) To help ensure a long-term and successful effort to  
8 understand and prevent firearm violence, the center shall recruit  
9 and provide specialized training opportunities for new researchers,  
10 including experienced investigators in related fields who are  
11 beginning work on firearm violence, young investigators who have  
12 completed their education, postdoctoral scholars, doctoral students,  
13 and undergraduates.

14 (5) It is the intent of the Legislature to support the center's  
15 activities by funding the center with an appropriation to a Firearm  
16 Violence Research Center Account. The center may also seek  
17 additional federal, state, and private funds.

18 (6) As a supplement to its own research, the center shall  
19 administer a small grants program for research on firearm violence,  
20 funded through a research account in the Firearm Violence  
21 Research Center Account. All research funds shall be awarded on  
22 the basis of scientific merit as determined by an open, competitive  
23 peer review process that assures objectivity, consistency, and high  
24 quality. All qualified investigators, regardless of institutional  
25 affiliation, shall have equal access and opportunity to compete for  
26 the funds in the research account.

27 (7) The peer review process for the selection of grants awarded  
28 under this program shall be modeled on the process used by the  
29 National Institutes of Health in its grantmaking process.

30 (b) It is further the intent of the Legislature that on or before  
31 December 31, 2017, and every five years thereafter, the University  
32 of California transmit programmatic, as well as financial, reports  
33 to the state, including a report on the grants made, pending grants,  
34 program accomplishments, and the future direction of the program.  
35 The report shall be submitted in compliance with Section 9795 of  
36 the Government Code.

37 (c) Subject to the conditions and requirements established  
38 elsewhere in statute, state agencies, ~~including~~ *including*, but not  
39 limited ~~to~~ *to*, the Department of Justice, the State Department of  
40 Public Health, the State Department of Health Care Services, the

1 Office of Statewide Health Planning and Development, and the  
2 Department of Motor Vehicles, shall provide to the center, upon  
3 proper request, the data necessary for the center to conduct its  
4 research.

5 (d) The center and all recipients of grants supported by the  
6 research account shall provide copies of their research publications  
7 to the Legislature and to agencies supplying data used in the  
8 conduct of that research as soon as is practicable following  
9 publication. These submissions shall be submitted in compliance  
10 with Section 9795 of the Government Code.

11 (e) Toward these ends, the Legislature requests that the Regents  
12 of the University of California establish a Firearm Violence  
13 Research Center and administer the center and grant program  
14 pursuant ~~to~~ *to*, and consistent ~~with~~ *with*, the principles and goals  
15 stated herein.

16 14232. This article shall apply to the University of California  
17 only to the extent that the Regents of the University of California,  
18 by resolution, make any of these provisions applicable to the  
19 university.