

AMENDED IN SENATE MAY 4, 2016
AMENDED IN SENATE APRIL 25, 2016
AMENDED IN SENATE APRIL 13, 2016

SENATE BILL

No. 1235

Introduced by Senator De León
(Principal coauthor: Assembly Member McCarty)

February 18, 2016

An act to amend Sections 11106, 16150, 17315, 30000, and 30306 of, to add Section 16151 to, to add Article 4 (commencing with Section 30355) and Article 5 (commencing with Section 30360) to Chapter 1 of Division 10 of Title 4 of Part 6 of, to repeal Sections ~~16662~~ *16650*, *16662*, and 30312 of, and to repeal and add Article 3 (commencing with Section 30345) of Chapter 1 of Division 10 of Title 4 of Part 6 of, the Penal Code, relating to ammunition.

LEGISLATIVE COUNSEL'S DIGEST

SB 1235, as amended, De León. Ammunition.

(1) Existing law requires the Attorney General to maintain records, including, among other things, fingerprints, licenses to carry concealed firearms, and information from firearms dealers pertaining to firearms, for purposes of assisting in the investigation of crimes and specified civil actions. In regard to certain of those records, existing law authorizes specified peace officers to disseminate the name of the subject of the record, the number of firearms listed in the record, the description of any firearm, and other information reported to the Department of Justice, as specified, if the subject of the record has been arraigned, is being prosecuted, or is serving a sentence for domestic violence or is the subject of specified protective orders. Existing law requires the law

enforcement officer to provide a victim of domestic violence to whom information is disseminated with a “Victims of Domestic Violence” card, and authorizes the victim or other person to whom the information is disseminated to disclose that information as he or she deems necessary to protect himself, herself, or another person from bodily harm by the person who is the subject of the record.

This bill would require the Attorney General to also maintain information about ammunition transactions and ammunition vendor licenses for those purposes. This bill would similarly authorize specified agencies, officials, and officers to disseminate the name of a person and the fact of any ammunition purchases by that person, as specified, if the subject of the record has been arraigned, is being prosecuted, or is serving a sentence for domestic violence or is the subject of specified protective orders. The bill would require the law enforcement officer to provide a victim of domestic violence to whom information is disseminated with a “Victims of Domestic Violence” card, and would authorize the victim or other person to whom the information is disseminated to disclose that information as he or she deems necessary to protect himself, herself, or another person from bodily harm by the person who is the subject of the record.

By imposing new duties on local law enforcement officers, this bill would impose a state-mandated local program.

~~(2) Existing law defines the term “ammunition” for certain prohibited ammunition transactions to mean ammunition principally for use in handguns, as specified. Existing law makes the violation of those prohibited transactions a crime.~~

~~This bill would instead define the term “ammunition” for those and other purposes to mean one or more loaded cartridges consisting of a primer case, propellant, and with one or more projectiles.~~

~~By expanding the scope of an existing crime, this bill would impose a state-mandated local program.~~

~~(3)~~

~~(2) Existing law, subject to exceptions, requires that the delivery or transfer of ownership of handgun ammunition occur only in a face-to-face transaction and makes a violation of this requirement a crime.~~

~~This bill would extend those provisions, subject to exceptions, to any ammunition and would reorganize those provisions.~~

~~(4)~~

(3) Existing law provides that the term “vendor” for purposes of ammunition sales is a “handgun ammunition vendor” as defined for those and other purposes.

This bill would provide that the term “vendor” for purposes of ammunition sales means “ammunition vendor” and, commencing January 1, 2018, means a licensed ammunition vendor. The bill would provide that commencing on January 1, 2018, only a licensed ammunition vendor may sell ammunition. The bill would revise the definition of “ammunition” for those purposes.

~~(5)~~

(4) Existing law establishes the Prohibited Armed Persons File, the purpose of which is to cross-reference persons prohibited from possessing firearms with records of firearm transactions to determine if these persons have acquired or attempted to acquire firearms. Under existing law, a person who is prohibited from owning or possessing a firearm is prohibited from owning, possessing, or having under his or her custody or control any ammunition or reloaded ammunition.

This bill would, commencing July 1, 2019, use the Prohibited Armed Persons File to cross-reference persons who attempt to acquire ammunition, as specified, to determine if those persons are prohibited from possessing ammunition.

~~(6)~~

(5) Existing law makes it a crime for a person, corporation, or firm to provide ammunition, as specified, to an individual that the person, corporation, or firm knows or should know is prohibited from possessing or owning ammunition.

This bill would apply that prohibition to other business enterprises. The bill would make it a crime for a person, corporation, firm, or other business enterprise to provide, as specified, ammunition to an individual that the person, corporation, firm, or other business entity knows or has cause to believe is not the actual purchaser or transferee of the ammunition, or knows or has cause to believe that the ammunition is to be sold or transferred to a person prohibited from possessing or owning ammunition.

~~(7)~~

(6) Existing law prohibits an ammunition vendor from allowing a person the vendor knows or should know is a person who is prohibited from possessing firearms, for specified reasons, from handling, selling, or delivering handgun ammunition in the course and scope of his or her employment. Existing law prohibits an ammunition vendor from selling

or otherwise transferring ownership of, offering for sale or otherwise offering to transfer ownership of, or displaying for sale or displaying for transfer of ownership of, any handgun ammunition in a manner that allows that ammunition to be accessible to a purchaser or transferee without the assistance of the vendor or an employee of the vendor.

This bill would extend those prohibitions to any ammunition. The bill would require that when neither party to the ammunition transaction is an ammunition dealer, the transaction be conducted by an ammunition dealer. The bill would, subject to exceptions, require a resident bringing ammunition into the state to have the ammunition delivered to an ammunition dealer for delivery to the person, as specified. The bill would provide that a violation of these provisions is a crime.

(8)

(7) Existing law, subject to exceptions, requires a handgun ammunition vendor to record specified information at the time of delivery of handgun ammunition to a purchaser, as specified.

This bill would extend those provisions to transactions of any ammunition and would, commencing on July 1, 2019, require the ammunition vendor to submit that information to the Department of Justice, as specified. The bill would require the department to retain the information for 2 years in a database to be known as the Ammunition Purchase Records File and would prescribe the authority of the department and other entities to use the file, as specified. The bill would, commencing on July 1, 2019, and subject to exceptions, require the purchaser of ammunition to be authorized to purchase ammunition by the department, as specified. The bill would require the department to cross-reference the Prohibited Armed Persons File and the Automated Firearms System for those transaction purposes. The bill would require, commencing on July 1, 2019, and subject to exceptions, that only persons listed in the Automated Firearms System, or who purchase a one-time ammunition transaction license from the department, would be able to purchase ammunition. A violation of these provisions would be a crime.

The bill would authorize the department to accept applications for ammunition vendor licenses, commencing on July 1, 2017. The bill would require an ammunition vendor to be licensed, commencing on January 1, 2018, in order to sell ammunition. The bill would create an application process for ammunition vendors, as specified. The bill would establish the Ammunition Special Account, into which vendor license fees *and ammunition transaction fees* would be deposited and made

available, upon appropriation by the Legislature, to the department for purposes of enforcing the ammunition vendor licensing *and ammunition purchasing* provisions. The bill would require the ammunition vendor to conduct business at the location specified in the license, except in the case of gun shows or events, as specified. The bill would require ammunition sales at a gun show or event to comply with certain requirements pertaining to ammunition transfers and recordkeeping, the violation of which is a crime.

~~(9)~~

(8) By expanding existing crimes and creating new crimes, this bill would impose a state-mandated local program.

~~(10)~~

(9) 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 with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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 11106 of the Penal Code is amended to
2 read:

3 11106. (a) (1) In order to assist in the investigation of crime,
4 the prosecution of civil actions by city attorneys pursuant to
5 paragraph (3) of subdivision (b), the arrest and prosecution of
6 criminals, and the recovery of lost, stolen, or found property, the
7 Attorney General shall keep and properly file a complete record
8 of all of the following:

- 9 (A) All copies of fingerprints.
- 10 (B) Copies of licenses to carry firearms issued pursuant to
- 11 Section 26150, 26155, 26170, or 26215.
- 12 (C) Information reported to the Department of Justice pursuant
- 13 to Section 26225, 27875, 27920, or 29830.
- 14 (D) Dealers' records of sales of firearms.

- 1 (E) Reports provided pursuant to Article 1 (commencing with
- 2 Section 27500) of Chapter 4 of Division 6 of Title 4 of Part 6, or
- 3 pursuant to any provision listed in subdivision (a) of Section 16585.
- 4 (F) Forms provided pursuant to Section 12084, as that section
- 5 read prior to being repealed on January 1, 2006.
- 6 (G) Reports provided pursuant to Article 1 (commencing with
- 7 Section 26700) and Article 2 (commencing with Section 26800)
- 8 of Chapter 2 of Division 6 of Title 4 of Part 6, that are not dealers’
- 9 records of sales of firearms.
- 10 (H) Information provided pursuant to Section 28255.
- 11 (I) Reports of stolen, lost, found, pledged, or pawned property
- 12 in any city or county of this state.
- 13 (J) Ammunition vendor license information pursuant to Article
- 14 3 (commencing with Section 30345) of Chapter 1 of Division 10
- 15 of Title 4 of Part 6.
- 16 (K) Information required by Section 30369.
- 17 (2) The Attorney General shall, upon proper application therefor,
- 18 furnish the information to the officers referred to in Section 11105.
- 19 (b) (1) The Attorney General shall permanently keep and
- 20 properly file and maintain all information reported to the
- 21 Department of Justice pursuant to the following provisions as to
- 22 firearms and maintain a registry thereof:
- 23 (A) Article 1 (commencing with Section 26700) and Article 2
- 24 (commencing with Section 26800) of Chapter 2 of Division 6 of
- 25 Title 4 of Part 6.
- 26 (B) Article 1 (commencing with Section 27500) of Chapter 4
- 27 of Division 6 of Title 4 of Part 6.
- 28 (C) Chapter 5 (commencing with Section 28050) of Division 6
- 29 of Title 4 of Part 6.
- 30 (D) Any provision listed in subdivision (a) of Section 16585.
- 31 (E) Former Section 12084.
- 32 (F) Section 28255.
- 33 (G) Any other law.
- 34 (2) The registry shall consist of all of the following:
- 35 (A) The name, address, identification of, place of birth (state
- 36 or country), complete telephone number, occupation, sex,
- 37 description, and all legal names and aliases ever used by the owner
- 38 or person being loaned the particular firearm as listed on the
- 39 information provided to the department on the Dealers’ Record of
- 40 Sale, the Law Enforcement Firearms Transfer (LEFT), as defined

1 in former Section 12084, or reports made to the department
2 pursuant to any provision listed in subdivision (a) of Section 16585,
3 Section 28255, or any other law.

4 (B) The name and address of, and other information about, any
5 person, whether a dealer or a private party, from whom the owner
6 acquired or the person being loaned the particular firearm and
7 when the firearm was acquired or loaned as listed on the
8 information provided to the department on the Dealers' Record of
9 Sale, the LEFT, or reports made to the department pursuant to any
10 provision listed in subdivision (a) of Section 16585 or any other
11 law.

12 (C) Any waiting period exemption applicable to the transaction
13 which resulted in the owner of or the person being loaned the
14 particular firearm acquiring or being loaned that firearm.

15 (D) The manufacturer's name if stamped on the firearm, model
16 name or number if stamped on the firearm, and, if applicable, the
17 serial number, other number if more than one serial number is
18 stamped on the firearm, caliber, type of firearm, if the firearm is
19 new or used, barrel length, and color of the firearm, or, if the
20 firearm is not a handgun and does not have a serial number or any
21 identification number or mark assigned to it, that shall be noted.

22 (3) Information in the registry referred to in this subdivision
23 shall, upon proper application therefor, be furnished to the officers
24 referred to in Section 11105, to a city attorney prosecuting a civil
25 action, solely for use in prosecuting that civil action and not for
26 any other purpose, or to the person listed in the registry as the
27 owner or person who is listed as being loaned the particular firearm.

28 (4) If any person is listed in the registry as the owner of a firearm
29 through a Dealers' Record of Sale prior to 1979, and the person
30 listed in the registry requests by letter that the Attorney General
31 store and keep the record electronically, as well as in the record's
32 existing photographic, photostatic, or nonerasable optically stored
33 form, the Attorney General shall do so within three working days
34 of receipt of the request. The Attorney General shall, in writing,
35 and as soon as practicable, notify the person requesting electronic
36 storage of the record that the request has been honored as required
37 by this paragraph.

38 (c) (1) If the conditions specified in paragraph (2) are met, any
39 officer referred to in paragraphs (1) to (6), inclusive, of subdivision
40 (b) of Section 11105 may disseminate the name of the subject of

1 the record, the fact of any ammunition purchases by that person
2 based on information supplied to the department pursuant to
3 Section 30352, the number of the firearms listed in the record, and
4 the description of any firearm, including the make, model, and
5 caliber, from the record relating to any firearm's sale, transfer,
6 registration, or license record, or any information reported to the
7 Department of Justice pursuant to any of the following:

8 (A) Section 26225, 27875, or 27920.

9 (B) Article 1 (commencing with Section 26700) and Article 2
10 (commencing with Section 26800) of Chapter 2 of Division 6 of
11 Title 4 of Part 6.

12 (C) Article 1 (commencing with Section 27500) of Chapter 4
13 of Division 6 of Title 4 of Part 6.

14 (D) Chapter 5 (commencing with Section 28050) of Division
15 6 of Title 4 of Part 6.

16 (E) Article 2 (commencing with Section 28150) of Chapter 6
17 of Division 6 of Title 4 of Part 6.

18 (F) Article 5 (commencing with Section 30900) of Chapter 2
19 of Division 10 of Title 4 of Part 6.

20 (G) Chapter 2 (commencing with Section 33850) of Division
21 11 of Title 4 of Part 6.

22 (H) Any provision listed in subdivision (a) of Section 16585.

23 (2) Information may be disseminated pursuant to paragraph (1)
24 only if all of the following conditions are satisfied:

25 (A) The subject of the record has been arraigned for a crime in
26 which the victim is a person described in subdivisions (a) to (f),
27 inclusive, of Section 6211 of the Family Code and is being
28 prosecuted or is serving a sentence for the crime, or the subject of
29 the record is the subject of an emergency protective order, a
30 temporary restraining order, or an order after hearing, which is in
31 effect and has been issued by a family court under the Domestic
32 Violence Prevention Act set forth in Division 10 (commencing
33 with Section 6200) of the Family Code.

34 (B) The information is disseminated only to the victim of the
35 crime or to the person who has obtained the emergency protective
36 order, the temporary restraining order, or the order after hearing
37 issued by the family court.

38 (C) Whenever a law enforcement officer disseminates the
39 information authorized by this subdivision, that officer or another
40 officer assigned to the case shall immediately provide the victim

1 of the crime with a “Victims of Domestic Violence” card, as
2 specified in subparagraph (H) of paragraph (9) of subdivision (c)
3 of Section 13701.

4 (3) The victim or person to whom information is disseminated
5 pursuant to this subdivision may disclose it as he or she deems
6 necessary to protect himself or herself or another person from
7 bodily harm by the person who is the subject of the record.

8 SEC. 2. Section 16150 of the Penal Code is amended to read:

9 16150. (a) As used in this part, except as specified in
10 subdivision (b), “ammunition” means one or more loaded cartridges
11 consisting of a primer case, propellant, and with one or more
12 projectiles. “Ammunition” does not include blanks.

13 (b) As used in subdivision (a) of Section 30305 and in Section
14 30306, “ammunition” includes, but is not limited to, any bullet,
15 cartridge, magazine, clip, speed loader, autoloader, or projectile
16 capable of being fired from a firearm with a deadly consequence.
17 “Ammunition” does not include blanks.

18 SEC. 3. Section 16151 is added to the Penal Code, to read:

19 16151. Commencing January 1, 2018, as used in this part,
20 “ammunition vendor” means any person, firm, corporation, dealer,
21 or any other business who has a current ammunition vendor license
22 issued pursuant to Section 30345.

23 SEC. 4. *Section 16650 of the Penal Code is repealed.*

24 ~~16650. (a) As used in this part, “handgun ammunition” means~~
25 ~~ammunition principally for use in pistols, revolvers, and other~~
26 ~~firearms capable of being concealed upon the person,~~
27 ~~notwithstanding that the ammunition may also be used in some~~
28 ~~rifles.~~

29 ~~(b) As used in Section 30312 and in Article 3 (commencing~~
30 ~~with Section 30345) of Chapter 1 of Division 10 of Title 4,~~
31 ~~“handgun ammunition” does not include either of the following:~~

32 ~~(1) Ammunition designed and intended to be used in an antique~~
33 ~~firearm.~~

34 ~~(2) Blanks.~~

35 ~~SEC. 4.~~

36 SEC. 5. Section 16662 of the Penal Code is repealed.

37 ~~SEC. 5.~~

38 SEC. 6. Section 17315 of the Penal Code is amended to read:

39 17315. As used in Article 2 (commencing with Section 30300),
40 Article 3 (commencing with Section 30345), Article 4

1 (commencing with Section 30355), and Article 5 (commencing
2 with Section 30360) of Chapter 1 of Division 10 of Title 4,
3 “vendor” means an ammunition vendor.

4 ~~SEC. 6.~~

5 *SEC. 7.* Section 30000 of the Penal Code is amended to read:

6 30000. (a) The Attorney General shall establish and maintain
7 an online database to be known as the Prohibited Armed Persons
8 File. The purpose of the file is to cross-reference persons who have
9 ownership or possession of a firearm on or after January 1, 1996,
10 as indicated by a record in the Consolidated Firearms Information
11 System, and who, subsequent to the date of that ownership or
12 possession of a firearm, fall within a class of persons who are
13 prohibited from owning or possessing a firearm.

14 (b) Commencing July 1, 2019, the file shall also be used to
15 cross-reference persons who attempt to acquire ammunition to
16 determine if those persons fall within a class of persons who are
17 prohibited from owning or possessing ammunition.

18 (c) The information contained in the Prohibited Armed Persons
19 File shall only be available to those entities specified in, and
20 pursuant to, subdivision (b) or (c) of Section 11105, through the
21 California Law Enforcement Telecommunications System, for the
22 purpose of determining if persons are armed and prohibited from
23 possessing firearms.

24 ~~SEC. 7.~~

25 *SEC. 8.* Section 30306 of the Penal Code is amended to read:

26 30306. (a) Any person, corporation, firm, or other business
27 enterprise who supplies, delivers, sells, or gives possession or
28 control of, any ammunition to any person who he or she knows or
29 using reasonable care should know is prohibited from owning,
30 possessing, or having under custody or control, any ammunition
31 or reloaded ammunition pursuant to subdivision (a) or (b) of
32 Section 30305, is guilty of a misdemeanor, punishable by
33 imprisonment in a county jail not exceeding one year, or a fine not
34 exceeding one thousand dollars (\$1,000), or by both that fine and
35 imprisonment.

36 (b) Any person, corporation, firm, or other business enterprise
37 who supplies, delivers, sells, or gives possession or control of, any
38 ammunition to any person who the person, corporation, firm, or
39 other business enterprise knows or has cause to believe is not the
40 actual purchaser or transferee or has cause to believe is not the

1 actual purchaser or transferee of the ammunition, with knowledge
2 or cause to believe that the ammunition is to be subsequently sold
3 or transferred to a person who is prohibited from owning,
4 possessing, or having under custody or control any ammunition
5 or reloaded ammunition pursuant to subdivision (a) or (b) of
6 Section 30305, is guilty of a misdemeanor, punishable by
7 imprisonment in a county jail not exceeding one year, or a fine not
8 exceeding one thousand dollars (\$1,000), or by both that fine and
9 imprisonment.

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

15 ~~SEC. 8.~~

16 *SEC. 9.* Section 30312 of the Penal Code is repealed.

17 ~~SEC. 9.~~

18 *SEC. 10.* Article 3 (commencing with Section 30345) of
19 Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal Code is
20 repealed.

21 ~~SEC. 10.~~

22 *SEC. 11.* Article 3 (commencing with Section 30345) is added
23 to Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal Code,
24 to read:

25

26 Article 3. Ammunition Vendor License

27

28 30345. (a) Commencing January 1, 2018, only an ammunition
29 vendor who is licensed by the Department of Justice shall be
30 authorized to sell ammunition in this state, except as provided by
31 Article 5 (commencing with Section 30360).

32 (b) Subdivision (a) does not apply to the sale of ammunition by
33 any of the following:

34 (1) A commercial hunting club, as defined in Section 3240.5 of
35 the Fish and Game Code, provided the ammunition is used and
36 consumed on the licensed premises while engaged in lawful
37 hunting activity.

38 (2) A domesticated game bird hunting club, pursuant to Section
39 3270 of the Fish and Game Code, provided the ammunition is used

1 and consumed on the licensed premises while engaged in lawful
2 hunting activity.

3 (3) A domesticated migratory game bird shooting club, pursuant
4 to Article 4 (commencing with Section 3300) of Chapter 2 of Part
5 1 of Division 4 of the Fish and Game Code, provided the
6 ammunition is used and consumed on the licensed premises while
7 engaged in lawful hunting activity.

8 (4) A nonprofit mutual or public benefit corporation organized
9 pursuant to the Corporations Code that engages in recreational
10 shooting and lawful hunting activity provided that the ammunition
11 is used and consumed during the shooting or hunting event
12 conducted by that nonprofit or public benefit corporation.

13 (5) A target facility that holds a business or regulatory license
14 provided that the ammunition is at all times kept within the
15 facility's premises and used on the premises.

16 (6) A person who sells no more than 50 rounds of ammunition
17 to one vendor in one month or cumulatively sells no more than
18 250 rounds per year to vendors in this state.

19 (c) The Department of Justice is authorized to issue ammunition
20 vendor licenses pursuant to this article. The department shall,
21 commencing July 1, 2017, accept applications for ammunition
22 vendor licenses. The department shall issue a license or deny the
23 application for a license within 60 days of receipt of the application
24 in the first two years of implementation, and within 30 days
25 thereafter. If the application is denied, the department shall inform
26 the applicant of the reason for denial in writing.

27 (d) The ammunition vendor license shall be issued in a form
28 prescribed by the Attorney General and shall be valid for a period
29 of one year. The license shall allow the licensee to sell ammunition
30 from a fixed location and at any place set forth in subdivision (b)
31 of Section 30365.

32 30346. (a) The department may charge ammunition vendor
33 license applicants a fee sufficient to cover the reasonable costs of
34 issuing a certificate of eligibility, as described, except for those
35 persons or entities described in subdivision (d) of Section 30347.

36 (b) The fees received by the department pursuant to this article
37 shall be deposited in the Ammunition Special Account, which is
38 hereby created. The revenue in the fund shall be available, upon
39 appropriation by the Legislature, for use by the Department of
40 Justice for the purpose of implementing and enforcing the

1 provisions of this article, Article 4 (commencing with Section
2 30355) and Article 5 (commencing with Section 30360).

3 30347. (a) The department is authorized to issue ammunition
4 vendor licenses to ammunition vendors who the department has
5 determined are not prohibited by state or federal law from
6 possessing, receiving, owning, or purchasing a firearm, and have
7 a certificate of eligibility issued by the department.

8 (b) The department shall require any agent or employee of a
9 vendor who handles, sells, or delivers ammunition to obtain and
10 provide to the ammunition vendor a certificate of eligibility from
11 the Department of Justice pursuant to Section 26710. On the
12 application for the certificate, the agent or employee shall provide
13 the name and California ammunition vendor number of the vendor
14 with whom the person is employed.

15 (c) In the case of an entity other than a natural person, the
16 department shall issue the license to the business entity, pursuant
17 to the requirements in subdivisions (a) and (b).

18 (d) The department shall, upon request and in a manner
19 prescribed by the department, issue ammunition vendor licenses
20 to the following:

21 (1) A firearms dealer licensed pursuant to Sections 26700 to
22 26915, inclusive.

23 (2) A person who is on the centralized list of federal firearms
24 licensees maintained by the department pursuant to Article 6
25 (commencing with Section 28450) of Chapter 6 of Division 6.

26 (3) A gunsmith as defined in Section 16630.

27 (4) A wholesaler as defined in Section 17340.

28 (5) A manufacturer or importer of firearms or ammunition
29 licensed pursuant to Chapter 44 (commencing with Section 921)
30 of Title 18 of the United States Code, and the regulations issued
31 pursuant thereto.

32 (e) The department shall keep a registry of all licensed
33 ammunition vendors.

34 (f) The department shall revoke the license of any ammunition
35 vendor who violates this article, Article 4 (commencing with
36 Section 30355), or Article 5 (commencing with Section 30360) in
37 any combination three times. The ammunition vendor shall
38 thereafter be permanently ineligible for an ammunition vendor
39 license.

1 ~~SEC. 11.~~

2 *SEC. 12.* Article 4 (commencing with Section 30355) is added
3 to Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal Code,
4 to read:

5

6

Article 4. Ammunition Purchase Authorization

7

8 30355. (a) Any person who violates any provision of this
9 article is guilty of a misdemeanor, punishable by imprisonment in
10 a county jail not exceeding one year, or a fine not exceeding one
11 thousand dollars (\$1,000), or by both that fine and imprisonment.

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

17 30356. (a) Commencing ~~July 1, 2019~~, *July 1, 2019* the
18 department shall electronically approve the purchase or transfer
19 of ammunition through a vendor, as defined in Section 16151,
20 except as otherwise specified. This approval shall occur at the time
21 of purchase or transfer, prior to the purchaser or transferee taking
22 possession of the ammunition.

23 (b) To determine if the purchaser or transferee is eligible to
24 purchase or possess ammunition, the department shall
25 cross-reference the ammunition purchaser's or transferee's name,
26 date of birth, current address, and driver's license or other
27 government identification number, as described in Section 28180,
28 with the information maintained in the Automated Firearms System
29 (AFS). If the purchaser's or transferee's information does not
30 match an AFS entry, the transaction shall be denied. If the
31 purchaser's or transferee's information matches an AFS entry, the
32 department shall determine if the purchaser or transferee falls
33 within a class of persons who are prohibited from owning or
34 possessing ammunition by cross-referencing the Prohibited Armed
35 Persons File. If the purchaser or transferee is prohibited from
36 owning or possessing a firearm, the transaction shall be denied.

37 (c) A vendor is prohibited from providing a purchaser or
38 transferee ammunition without department approval. If a vendor
39 cannot electronically verify a person's eligibility to purchase or
40 possess ammunition via an Internet connection, the department

1 shall provide a phone line to verify eligibility. This option is
2 available to ammunition vendors who can demonstrate legitimate
3 geographical and telecommunications limitations in submitting
4 the information electronically, and who are approved by the
5 department to use the phone line verification.

6 (d) The department shall recover the reasonable cost of
7 regulatory and enforcement activities related to this ~~section~~ *article*
8 by charging ammunition purchasers *and transferees* a
9 per-transaction fee not to exceed one dollar (\$1), provided,
10 however, that the fees may be increased at a rate not to exceed any
11 increases in the California Consumer Price Index as compiled and
12 reported by the Department of Industrial Relations, not to exceed
13 the reasonable regulatory *and enforcement* costs. The fees shall
14 be deposited in the Ammunition Special ~~Account~~. *Account, to be*
15 *available upon appropriation by the Legislature, for use by the*
16 *Department of Justice for the purpose of implementing and*
17 *enforcing this article, Article 3 (commencing with Section 30345),*
18 *and Article 5 (commencing with Section 30360).*

19 (e) This section shall not apply to the sale, delivery, or transfer
20 of ammunition to any of the following, if properly identified prior
21 to the delivery of the ammunition by the vendor:

22 (1) A firearms dealer licensed pursuant to Sections 26700 to
23 26915, inclusive.

24 (2) A person who is on the centralized list of federal firearms
25 licensees maintained by the department pursuant to Article 6
26 (commencing with Section 28450) of Chapter 6 of Division 6.

27 (3) A gunsmith as defined in Section 16630.

28 (4) A wholesaler as defined in Section 17340.

29 (5) A manufacturer or importer of firearms or ammunition
30 licensed pursuant to Chapter 44 (commencing with Section 921)
31 of Title 18 of the United States Code, and the regulations issued
32 pursuant thereto.

33 (6) An ammunition vendor.

34 (7) A person whose licensed premises are outside of this state
35 and who is licensed as a dealer or collector of firearms pursuant
36 to Chapter 44 (commencing with Section 921) of Title 18 of the
37 United States Code and the regulations issued pursuant thereto.

38 (8) A person who is licensed as a collector of firearms pursuant
39 to Chapter 44 (commencing with Section 921) of Title 18 of the
40 United States Code and the regulations issued pursuant thereto,

1 whose licensed premises are within this state, and who has a current
2 certificate of eligibility issued by the department pursuant to
3 Section 26710.

4 (9) An authorized law enforcement representative of a city,
5 county, city and county, or state or federal government, if the sale
6 or other transfer is for exclusive use by that government agency,
7 and, prior to the sale, delivery, or transfer of the ammunition,
8 written authorization from the head of the agency authorizing the
9 transaction is presented to the person from whom the purchase,
10 delivery, or transfer is being made. Proper written authorization
11 is defined as verifiable written certification from the head of the
12 agency, or designee, by which the purchaser, transferee, or person
13 otherwise acquiring ownership is employed, identifying the
14 employee as an individual authorized to conduct the transaction,
15 and authorizing the transaction for the exclusive use of the agency
16 by which that individual is employed.

17 (10) A properly identified sworn peace officer, as defined in
18 Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2
19 or properly identified sworn member of a federal law enforcement
20 agency who is authorized to carry a firearm in the course and scope
21 of the officer’s duties.

22 (11) A target facility that holds a business or regulatory license.

23 (12) A person who purchases or receives ammunition at a target
24 facility holding a business or other regulatory license, provided
25 that the ammunition is at all times kept within the facility’s
26 premises and used on the premises.

27 (13) A commercial hunting club, as defined in Section 3240.5
28 of the Fish and Game Code.

29 (14) A domesticated game bird hunting club, pursuant to Section
30 3270 of the Fish and Game Code.

31 (15) A domesticated migratory game bird shooting club,
32 pursuant to Article 4 (commencing with Section 3300) of Chapter
33 2 of Part 1 of Division 4 of the Fish and Game Code.

34 (16) A participant at a shooting or hunting event conducted by
35 any of the following:

36 (A) A commercial hunting club, as defined in Section 3240.5
37 of the Fish and Game Code, provided the ammunition is used and
38 consumed on the licensed premises while engaged in lawful
39 hunting activity.

1 (B) A domesticated game bird hunting club, pursuant to Section
2 3270 of the Fish and Game Code, provided the ammunition is used
3 and consumed on the licensed premises while engaged in lawful
4 hunting activity.

5 (C) A domesticated migratory game bird shooting club, pursuant
6 to Article 4 (commencing with Section 3300) of Chapter 2 of Part
7 1 of Division 4 of the Fish and Game Code, provided the
8 ammunition is used and consumed on the licensed premises while
9 engaged in lawful hunting activity.

10 (17) A nonprofit mutual or public benefit corporation organized
11 pursuant to the Corporations Code that engages in recreational
12 shooting and lawful hunting activity.

13 (18) A participant at a shooting or hunting event conducted by
14 a nonprofit mutual or public benefit corporation organized pursuant
15 to the Corporations Code that engages in recreational shooting or
16 lawful hunting activity provided that the ammunition is used and
17 consumed during the event.

18 (19) A person who is authorized to carry loaded firearms
19 pursuant to Section 25900, 25905, 25910, 25925, 26010, 26015,
20 ~~26025~~ 26025, or 26030.

21 (20) A holder of a special weapons permit issued by the
22 department pursuant to Section 32650 or 33300, pursuant to Article
23 3 (commencing with Section 18900) of Chapter 1 of Division 5
24 of Title 2, or pursuant to Article 4 (commencing with Section
25 32700) of Chapter 6.

26 (21) A holder of a valid entertainment firearms permit issued
27 pursuant to Chapter 2 (commencing with Section 29500) of
28 Division 8.

29 (22) A person authorized by the department pursuant to Section
30 30357.

31 30357. The department shall develop a procedure in which a
32 person who is not prohibited from purchasing or possessing
33 ammunition may be approved for a single ammunition transaction
34 or purchase. The ~~Department~~ *department* shall recover the cost of
35 processing, regulatory, and enforcement activities related to this
36 section, by charging the ammunition transaction or purchase
37 applicant a fee not to exceed the fee charged for the ~~Department's~~
38 *department's* Dealer Record of Sale (DROS) process, as described
39 in Section 28225, and not to exceed the department's reasonable
40 costs.

1 ~~SEC. 12.~~

2 *SEC. 13.* Article 5 (commencing with Section 30360) is added
3 to Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal Code,
4 to read:

5

6

Article 5. Ammunition Sales

7

8 30360. (a) Any person who violates any provision of this
9 article is guilty of a misdemeanor, punishable by imprisonment in
10 a county jail not exceeding one year, or a fine not exceeding one
11 thousand dollars (\$1,000), or by both that fine and imprisonment.

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

17 30362. A vendor shall not permit any employee who the vendor
18 knows or reasonably should know is a person described in Chapter
19 2 (commencing with Section 29800) or Chapter 3 (commencing
20 with Section 29900) of Division 9 of this title, or Section 8100 or
21 8103 of the Welfare and Institutions Code, to handle, sell, or deliver
22 ammunition or deliver or have under his or her custody or control,
23 ammunition in the course and scope of employment.

24 30363. A vendor shall not sell or otherwise transfer ownership
25 of, offer for sale, or otherwise offer to transfer ownership of,
26 display for sale, or display for transfer any ammunition in a manner
27 that allows that ammunition to be accessible to a purchaser or
28 transferee without the assistance of the vendor or an employee of
29 the vendor.

30 30364. (a) The sale, delivery, or transfer of ammunition may
31 only occur in a face-to-face transaction with the seller, deliverer,
32 or transferor being provided bona fide evidence of identity from
33 the purchaser or other transferee, provided, however, that
34 ammunition may be purchased over the Internet or through other
35 means of remote ordering if an ammunition vendor in this state
36 initially receives the ammunition and processes the transfer in
37 compliance with this article, Article 3 (commencing with Section
38 30345), and Article 4 (commencing with Section 30355). An
39 ammunition vendor is required to promptly and properly process
40 those transactions. An ammunition vendor may charge a fee to

1 process the transfer not to exceed ten dollars (\$10) per transaction.
2 An ammunition vendor is not required to house ammunition orders
3 longer than 30 days.

4 (b) Subdivision (a) shall not apply to or affect the sale, delivery,
5 or transfer of ammunition to any of the following:

6 (1) A firearms dealer licensed pursuant to Sections 26700 to
7 26915, inclusive.

8 (2) A person who is on the centralized list of federal firearms
9 licensees maintained by the Department of Justice pursuant to
10 Article 6 (commencing with Section 28450) of Chapter 6 of
11 Division 6.

12 (3) A gunsmith as defined in Section 16630.

13 (4) A wholesaler as defined in Section 17340.

14 (5) A manufacturer or importer of firearms or ammunition
15 licensed pursuant to Chapter 44 (commencing with Section 921)
16 of Title 18 of the United States Code, and the regulations issued
17 pursuant thereto.

18 (6) An ammunition vendor.

19 (7) A person whose licensed premises are outside this state and
20 who is licensed as a dealer or collector of firearms pursuant to
21 Chapter 44 (commencing with Section 921) of Title 18 of the
22 United States Code and the regulations issued pursuant thereto.

23 (8) A person who is licensed as a collector of firearms pursuant
24 to Chapter 44 (commencing with Section 921) of Title 18 of the
25 United States Code and the regulations issued pursuant thereto,
26 whose licensed premises are within this state, and who has a current
27 certificate of eligibility issued by the Department of Justice
28 pursuant to Section 26710.

29 (9) An authorized law enforcement representative of a city,
30 county, city and county, or state or federal government, if the sale,
31 delivery, or other transfer is for exclusive use by that government
32 agency and, prior to the sale, delivery, or transfer of the
33 ammunition, written authorization is received from the head of the
34 agency, or designee, by which the purchaser, transferee, or person
35 otherwise acquiring ownership is employed, identifying the
36 employee as an individual authorized to conduct the transaction,
37 and authorizing the transaction for the exclusive use of the agency
38 employing the individual.

39 (10) A properly identified sworn peace officer, as defined in
40 Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2,

1 or properly identified sworn member of a federal law enforcement
2 agency who is authorized to carry a firearm in the course and scope
3 of the officer’s duties.

4 (11) A target facility holding a business or other regulatory
5 license.

6 (12) A commercial hunting club, as defined in Section 3240.5
7 of the Fish and Game Code.

8 (13) A domesticated game bird hunting club, pursuant to Section
9 3270 of the Fish and Game Code.

10 (14) A domesticated migratory game bird shooting club,
11 pursuant to Article 4 (commencing with Section 3300) of Chapter
12 2 of Part 1 of Division 4 of the Fish and Game Code.

13 (15) A nonprofit mutual or public benefit corporation organized
14 pursuant to the Corporations Code that engages in recreational
15 shooting and lawful hunting activity.

16 (16) A consultant-evaluator.

17 (17) A contract or common carrier or an authorized agent or
18 employee thereof, when acting in conformance with applicable
19 federal law.

20 30365. (a) Except as provided in subdivision (b), the sale of
21 ammunition shall be conducted at the location specified in the
22 license.

23 (b) A vendor may sell ammunition at a gun show or event, as
24 described in Chapter 3 (commencing with Section 27200) of
25 Division 6, if the gun show or event is not conducted from any
26 motorized or towed vehicle.

27 (c) Sales of ammunition at a gun show or event shall comply
28 with Sections 30345, 30356, 30369, and 30370.

29 30366. (a) When neither party in an ammunition sale is a
30 vendor, the following shall apply:

31 (1) The seller shall deliver the ammunition to a vendor to process
32 the transaction.

33 (2) The vendor shall then promptly and properly deliver the
34 ammunition to the purchaser, if the sale is not prohibited, as if the
35 ammunition were the vendor’s own merchandise.

36 (3) If the vendor cannot legally deliver the ammunition to the
37 purchaser, the vendor shall forthwith return the ammunition to the
38 seller. This return is not subject to Section 30356.

1 (b) The vendor may charge the purchaser an administrative fee
2 to process the transaction, not to exceed ten dollars (\$10) per
3 transaction processed.

4 (c) A person selling ammunition pursuant to this section is
5 exempt from the requirement to be licensed pursuant to Section
6 30345.

7 30367. (a) Notwithstanding Sections 30345 and 30366, the
8 sale of ammunition between the following is authorized so long
9 as it does not exceed fifty (50) rounds per month:

10 (1) The sale of ammunition between licensed hunters while
11 engaged in lawful hunting activity.

12 (2) The sale of ammunition between immediate family members,
13 spouses, or registered domestic partners.

14 (b) Notwithstanding Sections 30345 and 30366, the sale of
15 ammunition by a private individual to an authorized representative
16 of a city, city and county, county, state, or the federal government,
17 as part of a voluntary program is authorized.

18 (c) Ammunition acquired pursuant to subdivision (b) shall be
19 disposed of in the same manner as set forth for firearms in Sections
20 18000, 18005, or 34000.

21 30368. (a) Commencing July 1, 2019, a resident of this state
22 shall not bring or transport into this state any ammunition that he
23 or she purchased from outside of this state unless he or she first
24 has that ammunition delivered to an ammunition vendor in this
25 state for delivery to that resident pursuant to the procedures set
26 forth in Section 30366.

27 (b) Subdivision (a) does not apply to any of the following
28 bringing or transporting into this state any ammunition:

29 (1) A firearms dealer licensed pursuant to Sections 26700 to
30 26915, inclusive.

31 (2) A person who is on the centralized list of federal firearms
32 licensees maintained by the department pursuant to Article 6
33 (commencing with Section 28450) of Chapter 6 of Division 6.

34 (3) A gunsmith as defined in Section 16630.

35 (4) A wholesaler as defined in Section 17340.

36 (5) A manufacturer or importer of firearms or ammunition
37 licensed pursuant to Chapter 44 (commencing with Section 921)
38 of Title 18 of the United States Code, and the regulations issued
39 pursuant thereto.

40 (6) An ammunition vendor.

1 (7) A person who is licensed as a collector of firearms pursuant
2 to Chapter 44 (commencing with Section 921) of Title 18 of the
3 United States Code and the regulations issued pursuant thereto,
4 whose licensed premises are within this state, and who has a current
5 certificate of eligibility issued by the Department of Justice
6 pursuant to Section 26710.

7 (8) Authorized law enforcement representatives of cities,
8 counties, cities and counties, or state or federal governments for
9 exclusive use by those government agencies if, prior to the
10 importation, the person has written authorization from the head of
11 the agency authorizing the acquisition of that ammunition. Proper
12 written authorization is defined as verifiable written certification
13 from the head of the agency, or designee, by which the person is
14 employed, identifying the employee as an individual authorized
15 to acquire and import ammunition, and authorizing the transaction
16 for the exclusive use of the agency by which he or she is employed.

17 (9) A properly identified sworn peace officer, as defined in
18 Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2,
19 or properly identified sworn member of a federal law enforcement
20 agency who is authorized to carry a firearm in the course and scope
21 of the officer's duties.

22 (10) A contract or common carrier or an authorized agent or
23 employee thereof, when acting in conformity with applicable
24 federal law.

25 (11) A person who purchases the ammunition from an immediate
26 family member, spouse, or registered domestic partner if the person
27 brings or transports into this state no more than 50 rounds.

28 (12) The executor or administrator of an estate that includes
29 ammunition.

30 (13) A person that at the time he or she acquired the ammunition
31 was not a resident of this state.

32 (14) Ammunition that is imported into this country pursuant to
33 provisions of Section 925(a)(4) of Title 18 of the United States
34 Code.

35 (15) A licensed hunter who purchased the ammunition outside
36 of this state for use in a lawful hunting activity that occurred
37 outside of this state if the person brings or imports no more than
38 50 rounds into this state and the ammunition is designed and
39 intended for use in the firearm the hunter used in that hunting
40 activity.

1 (16) A person who attended and participated in an organized
2 competitive match or league competition that involves the use of
3 firearms in a match or competition; sponsored by, conducted under
4 the auspices of, or approved by, a law enforcement agency or a
5 nationally or state recognized entity that fosters proficiency in, or
6 promotes education about, firearms, and the person brings or
7 imports into this state no more than 50 rounds of ammunition
8 designed and intended to be used in the firearm the person used
9 in the match or competition.

10 30369. (a) Commencing July 1, 2019, a vendor shall not sell
11 or otherwise transfer ownership of any ammunition without, at the
12 time of delivery, legibly recording the following information:

13 (1) The purchaser's full name.

14 (2) The purchaser's or transferee's driver's license or other
15 identification number and the state in which it was issued

16 (3) The date of the sale or other transaction.

17 (4) The brand, type, and amount of ammunition sold or
18 otherwise transferred.

19 (5) The name of the salesperson who processed the sale or other
20 transaction.

21 (6) The purchaser's or transferee's full residential address and
22 telephone number.

23 (7) The purchaser's or transferee's date of birth.

24 (b) Commencing July 1, 2019, the vendor shall electronically
25 submit to the department the information required by subdivision
26 (a) in a format and a manner prescribed by the department for all
27 sales or other transfers of ammunition. The department shall retain
28 this information for two years in a database to be known as the
29 Ammunition Purchase Records File for the sole purpose of aiding
30 and assisting local and state law enforcement agencies in an active
31 investigation. The vendor shall not share any of the information
32 required by subdivision (a) for any reason other than for authorized
33 law enforcement purposes. The information in the Ammunition
34 Purchase Records File may be accessed by a state or local law
35 enforcement agency only if the department is provided a case
36 number or other sufficient information as determined by the
37 department that indicates an active investigation, and the
38 information sought is for the investigation or prosecution of that
39 case.

- 1 (c) In the case that a vendor cannot submit the information
2 required by subdivision (a) electronically via an Internet
3 connection, the department shall provide a telephone line to submit
4 the information if the vendor can demonstrate legitimate geographic
5 and telecommunications limitations to submitting the information
6 electronically, and the department approves the vendor's use of
7 the telephone line.
- 8 (d) This section shall not apply to or affect sales or other
9 transfers of ammunition by ammunition vendors to any of the
10 following, if properly identified:
- 11 (1) A firearms dealer licensed pursuant to Sections 26700 to
12 26915, inclusive.
 - 13 (2) A person who is on the centralized list of federal firearms
14 licensees maintained by the department pursuant to Article 6
15 (commencing with Section 28450) of Chapter 6 of Division 6.
 - 16 (3) A gunsmith as defined in Section 16630.
 - 17 (4) A wholesaler as defined in Section 17340.
 - 18 (5) A manufacturer or importer of firearms licensed pursuant
19 to Chapter 44 (commencing with Section 921) of Title 18 of the
20 United States Code, and the regulations issued pursuant thereto.
 - 21 (6) An ammunition vendor.
 - 22 (7) An authorized law enforcement representative of a city,
23 county, city and county, or state or federal government, if the sale
24 or other transfer is for exclusive use by that government agency,
25 and, prior to the sale, delivery, or transfer of the ammunition,
26 written authorization from the head of the agency, or designee,
27 authorizing the transaction is presented to the person from whom
28 the purchase, delivery, or transfer is being made. Proper written
29 authorization is defined as verifiable written certification from the
30 head of the agency, or designee, by which the purchaser, transferee,
31 or person otherwise acquiring ownership is employed, identifying
32 the employee as an individual authorized to conduct the transaction,
33 and authorizing the transaction for the exclusive use of the agency
34 by which that individual is employed.
 - 35 (8) A properly identified sworn peace officer, as defined in
36 Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2,
37 or properly identified sworn member of a federal law enforcement
38 agency who is authorized to carry a firearm in the course and scope
39 of the officer's duties.
 - 40 (9) A target facility that holds a business or regulatory license.

1 (10) A person who purchases or receives ammunition at a target
2 facility holding a business or other regulatory license, provided
3 that the ammunition is at all times kept within the facility's
4 premises and used on the premises.

5 (11) A commercial hunting club, as defined in Section 3240.5
6 of the Fish and Game Code.

7 (12) A domesticated game bird hunting club, pursuant to Section
8 3270 of the Fish and Game Code.

9 (13) A domesticated migratory game bird shooting club,
10 pursuant to Article 4 (commencing with Section 3300) of Chapter
11 2 of Part 1 of Division 4 of the Fish and Game Code.

12 (14) A participant at a shooting or hunting event conducted by
13 any of the following:

14 (A) A commercial hunting club, as defined in Section 3240.5
15 of the Fish and Game Code, provided the ammunition is used and
16 consumed on the licensed premises while engaged in lawful
17 hunting activity.

18 (B) A domesticated game bird hunting club, pursuant to Section
19 3270 of the Fish and Game Code, provided the ammunition is used
20 and consumed on the licensed premises while engaged in lawful
21 hunting activity.

22 (C) A domesticated migratory game bird shooting club, pursuant
23 to Article 4 (commencing with Section 3300) of Chapter 2 of Part
24 1 of Division 4 of the Fish and Game Code, provided the
25 ammunition is used and consumed on the licensed premises while
26 engaged in lawful hunting activity.

27 (15) A nonprofit mutual or public benefit corporation organized
28 pursuant to the Corporations Code that engages in recreational
29 shooting and lawful hunting activity.

30 (16) A participant at a shooting or hunting event conducted by
31 a nonprofit mutual or public benefit corporation organized pursuant
32 to the Corporations Code that engages in recreational shooting or
33 lawful hunting activity provided that the ammunition is used and
34 consumed during the event.

35 30370. A vendor shall not knowingly make a false entry in, or
36 fail to make a required entry of information in accordance with
37 Section 30369.

38 ~~SEC. 13.~~

39 *SEC. 14.* No reimbursement is required by this act pursuant to
40 Section 6 of Article XIII B of the California Constitution for certain

1 costs that may be incurred by a local agency or school district
2 because, in that regard, this act creates a new crime or infraction,
3 eliminates a crime or infraction, or changes the penalty for a crime
4 or infraction, within the meaning of Section 17556 of the
5 Government Code, or changes the definition of a crime within the
6 meaning of Section 6 of Article XIII B of the California
7 Constitution.

8 However, if the Commission on State Mandates determines that
9 this act contains other costs mandated by the state, reimbursement
10 to local agencies and school districts for those costs shall be made
11 pursuant to Part 7 (commencing with Section 17500) of Division
12 4 of Title 2 of the Government Code.

13 ~~SEC. 14.~~

14 ~~SEC. 15.~~ The Legislature finds and declares that Section ~~12~~
15 ~~13~~ of this act, which adds Section 30369 to the Penal Code,
16 imposes a limitation on the public's right of access to the meetings
17 of public bodies or the writings of public officials and agencies
18 within the meaning of Section 3 of Article I of the California
19 Constitution. Pursuant to that constitutional provision, the
20 Legislature makes the following findings to demonstrate the interest
21 protected by this limitation and the need for protecting that interest:

22 In order to protect the personal information of ammunition
23 purchasers, it is necessary that this act limit the public's right of
24 access to that information.