

AMENDED IN SENATE MAY 17, 2016

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~~ *Sections 11106.5 and* 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 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~~ *The* 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 *regarding an ammunition purchase* 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.~~ *card.*

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

(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.

(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.

(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.

(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~~, *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.

(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.

(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.

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

(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.~~
15 ~~(E) Reports provided pursuant to Article 1 (commencing with~~
16 ~~Section 27500) of Chapter 4 of Division 6 of Title 4 of Part 6, or~~
17 ~~pursuant to any provision listed in subdivision (a) of Section 16585.~~
18 ~~(F) Forms provided pursuant to Section 12084, as that section~~
19 ~~read prior to being repealed on January 1, 2006.~~
20 ~~(G) Reports provided pursuant to Article 1 (commencing with~~
21 ~~Section 26700) and Article 2 (commencing with Section 26800)~~
22 ~~of Chapter 2 of Division 6 of Title 4 of Part 6, that are not dealers'~~
23 ~~records of sales of firearms.~~
24 ~~(H) Information provided pursuant to Section 28255.~~
25 ~~(I) Reports of stolen, lost, found, pledged, or pawned property~~
26 ~~in any city or county of this state.~~
27 ~~(J) Ammunition vendor license information pursuant to Article~~
28 ~~3 (commencing with Section 30345) of Chapter 1 of Division 10~~
29 ~~of Title 4 of Part 6.~~

1 ~~(K) Information required by Section 30369.~~

2 ~~(2) The Attorney General shall, upon proper application therefor,~~
3 ~~furnish the information to the officers referred to in Section 11105.~~

4 ~~(b) (1) The Attorney General shall permanently keep and~~
5 ~~properly file and maintain all information reported to the~~
6 ~~Department of Justice pursuant to the following provisions as to~~
7 ~~firearms and maintain a registry thereof:~~

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

11 ~~(B) Article 1 (commencing with Section 27500) of Chapter 4~~
12 ~~of Division 6 of Title 4 of Part 6.~~

13 ~~(C) Chapter 5 (commencing with Section 28050) of Division 6~~
14 ~~of Title 4 of Part 6.~~

15 ~~(D) Any provision listed in subdivision (a) of Section 16585.~~

16 ~~(E) Former Section 12084.~~

17 ~~(F) Section 28255.~~

18 ~~(G) Any other law.~~

19 ~~(2) The registry shall consist of all of the following:~~

20 ~~(A) The name, address, identification of, place of birth (state~~
21 ~~or country), complete telephone number, occupation, sex,~~
22 ~~description, and all legal names and aliases ever used by the owner~~
23 ~~or person being loaned the particular firearm as listed on the~~
24 ~~information provided to the department on the Dealers' Record of~~
25 ~~Sale, the Law Enforcement Firearms Transfer (LEFT), as defined~~
26 ~~in former Section 12084, or reports made to the department~~
27 ~~pursuant to any provision listed in subdivision (a) of Section 16585,~~
28 ~~Section 28255, or any other law.~~

29 ~~(B) The name and address of, and other information about, any~~
30 ~~person, whether a dealer or a private party, from whom the owner~~
31 ~~acquired or the person being loaned the particular firearm and~~
32 ~~when the firearm was acquired or loaned as listed on the~~
33 ~~information provided to the department on the Dealers' Record of~~
34 ~~Sale, the LEFT, or reports made to the department pursuant to any~~
35 ~~provision listed in subdivision (a) of Section 16585 or any other~~
36 ~~law.~~

37 ~~(C) Any waiting period exemption applicable to the transaction~~
38 ~~which resulted in the owner of or the person being loaned the~~
39 ~~particular firearm acquiring or being loaned that firearm.~~

1 ~~(D) The manufacturer's name if stamped on the firearm, model~~
2 ~~name or number if stamped on the firearm, and, if applicable, the~~
3 ~~serial number, other number if more than one serial number is~~
4 ~~stamped on the firearm, caliber, type of firearm, if the firearm is~~
5 ~~new or used, barrel length, and color of the firearm, or, if the~~
6 ~~firearm is not a handgun and does not have a serial number or any~~
7 ~~identification number or mark assigned to it, that shall be noted.~~

8 ~~(3) Information in the registry referred to in this subdivision~~
9 ~~shall, upon proper application therefor, be furnished to the officers~~
10 ~~referred to in Section 11105, to a city attorney prosecuting a civil~~
11 ~~action, solely for use in prosecuting that civil action and not for~~
12 ~~any other purpose, or to the person listed in the registry as the~~
13 ~~owner or person who is listed as being loaned the particular firearm.~~

14 ~~(4) If any person is listed in the registry as the owner of a firearm~~
15 ~~through a Dealers' Record of Sale prior to 1979, and the person~~
16 ~~listed in the registry requests by letter that the Attorney General~~
17 ~~store and keep the record electronically, as well as in the record's~~
18 ~~existing photographic, photostatic, or nonerasable optically stored~~
19 ~~form, the Attorney General shall do so within three working days~~
20 ~~of receipt of the request. The Attorney General shall, in writing,~~
21 ~~and as soon as practicable, notify the person requesting electronic~~
22 ~~storage of the record that the request has been honored as required~~
23 ~~by this paragraph.~~

24 ~~(e) (1) If the conditions specified in paragraph (2) are met, any~~
25 ~~officer referred to in paragraphs (1) to (6), inclusive, of subdivision~~
26 ~~(b) of Section 11105 may disseminate the name of the subject of~~
27 ~~the record, the fact of any ammunition purchases by that person~~
28 ~~based on information supplied to the department pursuant to~~
29 ~~Section 30352, the number of the firearms listed in the record, and~~
30 ~~the description of any firearm, including the make, model, and~~
31 ~~caliber, from the record relating to any firearm's sale, transfer,~~
32 ~~registration, or license record, or any information reported to the~~
33 ~~Department of Justice pursuant to any of the following:~~

- 34 ~~(A) Section 26225, 27875, or 27920.~~
- 35 ~~(B) Article 1 (commencing with Section 26700) and Article 2~~
36 ~~(commencing with Section 26800) of Chapter 2 of Division 6 of~~
37 ~~Title 4 of Part 6.~~
- 38 ~~(C) Article 1 (commencing with Section 27500) of Chapter 4~~
39 ~~of Division 6 of Title 4 of Part 6.~~

1 ~~(D) Chapter 5 (commencing with Section 28050) of Division~~
2 ~~6 of Title 4 of Part 6.~~

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

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

7 ~~(G) Chapter 2 (commencing with Section 33850) of Division~~
8 ~~11 of Title 4 of Part 6.~~

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

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

12 ~~(A) The subject of the record has been arraigned for a crime in~~
13 ~~which the victim is a person described in subdivisions (a) to (f),~~
14 ~~inclusive, of Section 6211 of the Family Code and is being~~
15 ~~prosecuted or is serving a sentence for the crime, or the subject of~~
16 ~~the record is the subject of an emergency protective order, a~~
17 ~~temporary restraining order, or an order after hearing, which is in~~
18 ~~effect and has been issued by a family court under the Domestic~~
19 ~~Violence Prevention Act set forth in Division 10 (commencing~~
20 ~~with Section 6200) of the Family Code.~~

21 ~~(B) The information is disseminated only to the victim of the~~
22 ~~crime or to the person who has obtained the emergency protective~~
23 ~~order, the temporary restraining order, or the order after hearing~~
24 ~~issued by the family court.~~

25 ~~(C) Whenever a law enforcement officer disseminates the~~
26 ~~information authorized by this subdivision, that officer or another~~
27 ~~officer assigned to the case shall immediately provide the victim~~
28 ~~of the crime with a "Victims of Domestic Violence" card, as~~
29 ~~specified in subparagraph (H) of paragraph (9) of subdivision (c)~~
30 ~~of Section 13701.~~

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

35 *SECTION 1. Section 11106.5 is added to the Penal Code, to*
36 *read:*

37 *11106.5. (a) In addition to the requirements of Section 11106,*
38 *the Attorney General shall keep and properly file a complete record*
39 *of both of the following:*

1 (1) *Ammunition vendor license information pursuant to Article*
2 *3 (commencing with Section 30345) of Chapter 1 of Division 10*
3 *of Title 4 of Part 6.*

4 (2) *Information required by Section 30369.*

5 (b) *If the conditions of paragraph (2) of subdivision (c) of*
6 *Section 11106 are met, an officer referred to in paragraphs (1) to*
7 *(6), inclusive, of subdivision (b) of Section 11105 may disseminate*
8 *the fact of any ammunition purchases by the subject of a state*
9 *summary criminal history record based on information supplied*
10 *by the department pursuant to Section 30352.*

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

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

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

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

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

26 SEC. 4. Section 16650 of the Penal Code is repealed.

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

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

29 17315. As used in Article 2 (commencing with Section 30300),
30 Article 3 (commencing with Section 30345), Article 4
31 (commencing with Section 30355), and Article 5 (commencing
32 with Section 30360) of Chapter 1 of Division 10 of Title 4,
33 “vendor” means an ammunition vendor.

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

35 30000. (a) The Attorney General shall establish and maintain
36 an online database to be known as the Prohibited Armed Persons
37 File. The purpose of the file is to cross-reference persons who have
38 ownership or possession of a firearm on or after January 1, 1996,
39 as indicated by a record in the Consolidated Firearms Information
40 System, and who, subsequent to the date of that ownership or

1 possession of a firearm, fall within a class of persons who are
2 prohibited from owning or possessing a firearm.

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

7 (c) The information contained in the Prohibited Armed Persons
8 File shall only be available to those entities specified in, and
9 pursuant to, subdivision (b) or (c) of Section 11105, through the
10 California Law Enforcement Telecommunications System, for the
11 purpose of determining if persons are armed and prohibited from
12 possessing firearms.

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

14 30306. (a) Any person, corporation, firm, or other business
15 enterprise who supplies, delivers, sells, or gives possession or
16 control of, any ammunition to any person who he or she knows or
17 using reasonable care should know is prohibited from owning,
18 possessing, or having under custody or control, any ammunition
19 or reloaded ammunition pursuant to subdivision (a) or (b) of
20 Section 30305, is guilty of a misdemeanor, punishable by
21 imprisonment in a county jail not exceeding one year, or a fine not
22 exceeding one thousand dollars (\$1,000), or by both that fine and
23 imprisonment.

24 (b) Any person, corporation, firm, or other business enterprise
25 who supplies, delivers, sells, or gives possession or control of, ~~any~~
26 ~~of~~ ammunition to ~~any~~ a person who the person, corporation, firm,
27 or other business enterprise knows or has cause to believe is not
28 the actual purchaser or transferee ~~or has cause to believe is not the~~
29 ~~actual purchaser or transferee~~ of the ammunition, with knowledge
30 or cause to believe that the ammunition is to be subsequently sold
31 or transferred to a person who is prohibited from owning,
32 possessing, or having under custody or control any ammunition
33 or reloaded ammunition pursuant to subdivision (a) or (b) of
34 Section 30305, is guilty of a misdemeanor, punishable by
35 imprisonment in a county jail not exceeding one ~~year~~, *year* or a
36 fine not exceeding one thousand dollars (\$1,000), or by both that
37 fine and imprisonment.

38 (c) The provisions of this section are cumulative and shall not
39 be construed as restricting the application of any other law.
40 However, an act or omission punishable in different ways by this

1 section and another provision of law shall not be punished under
2 more than one provision.

3 SEC. 9. Section 30312 of the Penal Code is repealed.

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

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

10

11 Article 3. Ammunition Vendor License

12

13 30345. (a) Commencing January 1, 2018, only an ammunition
14 vendor who is licensed by the Department of Justice shall be
15 authorized to sell ammunition in this state, except as provided by
16 Article 5 (commencing with Section 30360).

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

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

23 (2) A domesticated game bird hunting club, pursuant to Section
24 3270 of the Fish and Game Code, provided the ammunition is used
25 and consumed on the licensed premises while engaged in lawful
26 hunting activity.

27 (3) A domesticated migratory game bird shooting club, pursuant
28 to Article 4 (commencing with Section 3300) of Chapter 2 of Part
29 1 of Division 4 of the Fish and Game Code, provided the
30 ammunition is used and consumed on the licensed premises while
31 engaged in lawful hunting activity.

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

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

1 (6) A person who sells no more than ~~50~~ 100 rounds of
2 ammunition to one vendor in one month or cumulatively sells no
3 more than 250 rounds per year to vendors in this state.

4 (c) The Department of Justice is authorized to issue ammunition
5 vendor licenses pursuant to this article. The department shall,
6 commencing July 1, 2017, accept applications for ammunition
7 vendor licenses. The department shall issue a license or deny the
8 application for a license within 60 days of receipt of the application
9 in the first two years of implementation, and within 30 days
10 thereafter. If the application is denied, the department shall inform
11 the applicant of the reason for denial in writing.

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

17 30346. (a) The department may charge ammunition vendor
18 license applicants a fee sufficient to cover the reasonable costs of
19 issuing a certificate of eligibility, as described, except for those
20 persons or entities described in subdivision (d) of Section 30347.

21 (b) The fees received by the department pursuant to this article
22 shall be deposited in the Ammunition Special Account, which is
23 hereby created. The revenue in the fund shall be available, upon
24 appropriation by the Legislature, for use by the Department of
25 Justice for the purpose of implementing and enforcing the
26 provisions of this article, Article 4 (commencing with Section
27 30355) and Article 5 (commencing with Section 30360).

28 30347. (a) The department is authorized to issue ammunition
29 vendor licenses to ammunition vendors who the department has
30 determined are not prohibited by state or federal law from
31 possessing, receiving, owning, or purchasing a ~~firearm~~, *firearm*
32 and *who* have a certificate of eligibility issued by the department.

33 (b) The department shall require any agent or employee of a
34 vendor who handles, sells, or delivers ammunition to obtain and
35 provide to the ammunition vendor a certificate of eligibility from
36 the Department of Justice pursuant to Section 26710. On the
37 application for the certificate, the agent or employee shall provide
38 the name and California ammunition vendor number of the vendor
39 with whom the person is employed.

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

4 (d) The department shall, upon request and in a manner
5 prescribed by the department, issue ammunition vendor licenses
6 to the following:

7 (1) A firearms dealer licensed pursuant to Sections 26700 to
8 26915, inclusive.

9 (2) A person who is on the centralized list of federal firearms
10 licensees maintained by the department pursuant to Article 6
11 (commencing with Section 28450) of Chapter 6 of 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~~, *Code* and the regulations
17 issued pursuant thereto.

18 (e) The department shall keep a registry of all licensed
19 ammunition vendors.

20 (f) The department shall revoke the license of any ammunition
21 vendor who violates this article, Article 4 (commencing with
22 Section 30355), or Article 5 (commencing with Section 30360) in
23 any combination three times. The ammunition vendor shall
24 thereafter be permanently ineligible for an ammunition vendor
25 license.

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

29
30 Article 4. Ammunition Purchase Authorization

31
32 30355. (a) Any person who violates any provision of this
33 article is guilty of a misdemeanor, punishable by imprisonment in
34 a county jail not exceeding ~~one year~~, *year* or a fine not exceeding
35 one thousand dollars (\$1,000), or by both that fine and
36 imprisonment.

37 (b) The provisions of this article are ~~cumulative~~, *cumulative*
38 and shall not be construed as restricting the application of any
39 other law. However, an act or omission punishable in different

1 ways by different provisions of law shall not be punished under
2 more than one provision.

3 30356. (a) Commencing July 1, 2019 the department shall
4 electronically approve the purchase or transfer of ammunition
5 through a vendor, as defined in Section 16151, except as otherwise
6 specified. This approval shall occur at the time of purchase or
7 transfer, prior to the purchaser or transferee taking possession of
8 the ammunition.

9 (b) To determine if the purchaser or transferee is eligible to
10 purchase or possess ammunition, the department shall
11 cross-reference the ammunition purchaser's or transferee's name,
12 date of birth, current address, and driver's license or other
13 government identification number, as described in Section 28180,
14 with the information maintained in the Automated Firearms System
15 (AFS). If the purchaser's or transferee's information does not
16 match an AFS entry, the transaction shall be denied. If the
17 purchaser's or transferee's information matches an AFS entry, the
18 department shall determine if the purchaser or transferee falls
19 within a class of persons who are prohibited from owning or
20 possessing ammunition by cross-referencing the Prohibited Armed
21 Persons File. If the purchaser or transferee is prohibited from
22 owning or possessing a firearm, the transaction shall be denied.

23 (c) A vendor is prohibited from providing a purchaser or
24 transferee ammunition without department approval. If a vendor
25 cannot electronically verify a person's eligibility to purchase or
26 possess ammunition via an Internet connection, the department
27 shall provide a phone line to verify eligibility. This option is
28 available to ammunition vendors who can demonstrate legitimate
29 geographical and telecommunications limitations in submitting
30 the information ~~electronically~~, *electronically* and who are approved
31 by the department to use the phone line verification.

32 (d) The department shall recover the reasonable cost of
33 regulatory and enforcement activities related to this article by
34 charging ammunition purchasers and transferees a per-transaction
35 fee not to exceed one dollar (\$1), provided, however, that the fees
36 *fee* may be increased at a rate not to exceed any increases in the
37 California Consumer Price Index as compiled and reported by the
38 Department of Industrial Relations, not to exceed the reasonable
39 regulatory and enforcement costs. The fees shall be deposited in
40 the Ammunition Special Account, to be available upon

1 appropriation by the Legislature, for use by the Department of
2 Justice for the purpose of implementing and enforcing this article,
3 Article 3 (commencing with Section 30345), and Article 5
4 (commencing with Section 30360).

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

8 (1) A firearms dealer licensed pursuant to Sections 26700 to
9 26915, inclusive.

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

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

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

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

19 (6) An ammunition vendor.

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

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

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

1 and authorizing the transaction for the exclusive use of the agency
2 by which that individual is employed.

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

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

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

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

15 (14) A domesticated game bird hunting club, pursuant to Section
16 3270 of the Fish and Game Code.

17 (15) A domesticated migratory game bird shooting club,
18 pursuant to Article 4 (commencing with Section 3300) of Chapter
19 2 of Part 1 of Division 4 of the Fish and Game Code.

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

22 (A) A commercial hunting club, as defined in Section 3240.5
23 of the Fish and Game Code, provided the ammunition is used and
24 consumed on the licensed premises while engaged in lawful
25 hunting activity.

26 (B) A domesticated game bird hunting club, pursuant to Section
27 3270 of the Fish and Game Code, provided the ammunition is used
28 and consumed on the licensed premises while engaged in lawful
29 hunting activity.

30 (C) A domesticated migratory game bird shooting club, pursuant
31 to Article 4 (commencing with Section 3300) of Chapter 2 of Part
32 1 of Division 4 of the Fish and Game Code, provided the
33 ammunition is used and consumed on the licensed premises while
34 engaged in lawful hunting activity.

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

38 (18) A participant at a shooting or hunting event conducted by
39 a nonprofit mutual or public benefit corporation organized pursuant
40 to the Corporations Code that engages in recreational shooting or

1 lawful hunting activity provided that the ammunition is used and
2 consumed during the event.

3 (19) A person who is authorized to carry loaded firearms
4 pursuant to Section 25900, 25905, 25910, 25925, 26010, 26015,
5 26025, or 26030.

6 (20) A holder of a special weapons permit issued by the
7 department pursuant to Section 32650 or 33300, pursuant to Article
8 3 (commencing with Section 18900) of Chapter 1 of Division 5
9 of Title 2, or pursuant to Article 4 (commencing with Section
10 32700) of Chapter 6.

11 (21) A holder of a valid entertainment firearms permit issued
12 pursuant to Chapter 2 (commencing with Section 29500) of
13 Division 8.

14 (22) A person authorized by the department pursuant to Section
15 30357.

16 30357. The department shall develop a procedure in which a
17 person who is not prohibited from purchasing or possessing
18 ammunition may be approved for a single ammunition transaction
19 or purchase. The department shall recover the cost of processing,
20 regulatory, and enforcement activities related to this ~~section~~, *section*
21 by charging the ammunition transaction or purchase applicant a
22 fee not to exceed the fee charged for the department’s Dealer
23 Record of Sale (DROS) process, as described in Section 28225,
24 and not to exceed the department’s reasonable costs.

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

28
29 Article 5. Ammunition Sales
30

31 30360. (a) Any person who violates any provision of this
32 article is guilty of a misdemeanor, punishable by imprisonment in
33 a county jail not exceeding one ~~year~~, *year* or a fine not exceeding
34 one thousand dollars (\$1,000), or by both that fine and
35 imprisonment.

36 (b) The provisions of this article are ~~cumulative~~, *cumulative*
37 and shall not be construed as restricting the application of any
38 other law. However, an act or omission punishable in different
39 ways by different provisions of law shall not be punished under
40 more than one provision.

1 30362. A vendor shall not permit any employee who the vendor
2 knows or reasonably should know is a person described in Chapter
3 2 (commencing with Section 29800) or Chapter 3 (commencing
4 with Section 29900) of Division 9 of this title, or Section 8100 or
5 8103 of the Welfare and Institutions Code, to handle, sell, or deliver
6 ammunition or *to* deliver or have under his or her custody or
7 ~~control~~, *control* ammunition in the course and scope of
8 employment.

9 30363. A vendor shall not sell or otherwise transfer ownership
10 of, offer for sale, or otherwise offer to transfer ownership of,
11 display for sale, or display for transfer any ammunition in a manner
12 that allows that ammunition to be accessible to a purchaser or
13 transferee without the assistance of the vendor or an employee of
14 the vendor.

15 30364. (a) The sale, delivery, or transfer of ammunition may
16 only occur in a face-to-face transaction with the seller, deliverer,
17 or transferor being provided bona fide evidence of identity from
18 the purchaser or other transferee, provided, however, that
19 ammunition may be purchased over the Internet or through other
20 means of remote ordering if an ammunition vendor in this state
21 initially receives the ammunition and processes the transfer in
22 compliance with this article, Article 3 (commencing with Section
23 30345), and Article 4 (commencing with Section 30355). An
24 ammunition vendor is required to promptly and properly process
25 those transactions. An ammunition vendor may charge a fee to
26 process the transfer not to exceed ten dollars (\$10) per transaction.
27 An ammunition vendor is not required to house ammunition orders
28 longer than 30 days.

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

31 (1) A firearms dealer licensed pursuant to Sections 26700 to
32 26915, inclusive.

33 (2) A person who is on the centralized list of federal firearms
34 licensees maintained by the Department of Justice pursuant to
35 Article 6 (commencing with Section 28450) of Chapter 6 of
36 Division 6.

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

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

39 (5) A manufacturer or importer of firearms or ammunition
40 licensed pursuant to Chapter 44 (commencing with Section 921)

1 of Title 18 of the United States ~~Code~~, *Code* and the regulations
2 issued pursuant thereto.

3 (6) An ammunition vendor.

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

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

14 (9) An authorized law enforcement representative of a city,
15 county, city and county, or state or federal government, if the sale,
16 delivery, or other transfer is for exclusive use by that government
17 agency and, prior to the sale, delivery, or transfer of the
18 ammunition, written authorization is received from the head of the
19 agency, or designee, by which the purchaser, transferee, or person
20 otherwise acquiring ownership is employed, identifying the
21 employee as an individual authorized to conduct the transaction,
22 and authorizing the transaction for the exclusive use of the agency
23 employing the individual.

24 (10) A properly identified sworn peace officer, as defined in
25 Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2,
26 or properly identified sworn member of a federal law enforcement
27 agency who is authorized to carry a firearm in the course and scope
28 of the officer's duties.

29 (11) A target facility holding a business or other regulatory
30 license.

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

33 (13) A domesticated game bird hunting club, pursuant to Section
34 3270 of the Fish and Game Code.

35 (14) A domesticated migratory game bird shooting club,
36 pursuant to Article 4 (commencing with Section 3300) of Chapter
37 2 of Part 1 of Division 4 of the Fish and Game Code.

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

1 (16) A consultant-evaluator.

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

5 30365. (a) Except as provided in subdivision (b), the sale of
6 ammunition shall be conducted at the location specified in the
7 license.

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

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

14 30366. (a) When neither party in an ammunition sale is a
15 vendor, the following shall apply:

16 (1) The seller shall deliver the ammunition to a vendor to process
17 the transaction.

18 (2) The vendor shall then promptly and properly deliver the
19 ammunition to the purchaser, if the sale is not prohibited, as if the
20 ammunition were the vendor's own merchandise.

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

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

27 (c) A person selling ammunition pursuant to this section is
28 exempt from the requirement to be licensed pursuant to Section
29 30345.

30 (d) *This section does not apply to a person whose premises are*
31 *outside of this state when directly selling and shipping ammunition*
32 *to a law enforcement agency within this state.*

33 30367. (a) Notwithstanding Sections 30345 and 30366, the
34 sale of ammunition between the following is authorized so long
35 as it does not exceed ~~fifty (50)~~ 50 rounds per month:

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

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

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

5 (c) Ammunition acquired pursuant to subdivision (b) shall be
6 disposed of in the same manner as set forth for firearms in ~~Sections~~
7 *Section* 18000, 18005, or 34000.

8 30368. (a) Commencing July 1, 2019, a resident of this state
9 shall not bring or transport into this state any ammunition that he
10 or she purchased from outside of this state unless he or she first
11 has that ammunition delivered to an ammunition vendor in this
12 state for delivery to that resident pursuant to the procedures set
13 forth in Section 30366.

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

16 (1) A firearms dealer licensed pursuant to Sections 26700 to
17 26915, inclusive.

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

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

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

23 (5) A manufacturer or importer of firearms or ammunition
24 licensed pursuant to Chapter 44 (commencing with Section 921)
25 of Title 18 of the United States Code, and the regulations issued
26 pursuant thereto.

27 (6) An ammunition vendor.

28 (7) A person who is licensed as a collector of firearms pursuant
29 to Chapter 44 (commencing with Section 921) of Title 18 of the
30 United States Code and the regulations issued pursuant thereto,
31 whose licensed premises are within this state, and who has a current
32 certificate of eligibility issued by the Department of Justice
33 pursuant to Section 26710.

34 (8) Authorized law enforcement representatives of cities,
35 counties, cities and counties, or state or federal governments for
36 exclusive use by those government agencies if, prior to the
37 importation, the person has written authorization from the head of
38 the agency authorizing the acquisition of that ammunition. Proper
39 written authorization is defined as verifiable written certification
40 from the head of the agency, or designee, by which the person is

1 employed, identifying the employee as an individual authorized
2 to acquire and import ammunition, and authorizing the transaction
3 for the exclusive use of the agency by which he or she is employed.

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

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

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

15 (12) The executor or administrator of an estate that includes
16 ammunition.

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

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

22 (15) A licensed hunter who purchased the ammunition outside
23 of this state for use in a lawful hunting activity that occurred
24 outside of this state if the person brings or imports no more than
25 50 rounds into this state and the ammunition is designed and
26 intended for use in the firearm the hunter used in that hunting
27 activity.

28 (16) A person who attended and participated in an organized
29 competitive match or league competition that involves the use of
30 firearms in a match or ~~competition~~, *competition* sponsored by,
31 conducted under the auspices of, or approved by, a law enforcement
32 agency or a nationally or state recognized entity that fosters
33 proficiency in, or promotes education about, firearms, and the
34 person brings or imports into this state no more than 50 rounds of
35 ammunition designed and intended to be used in the firearm the
36 person used in the match or competition.

37 30369. (a) Commencing July 1, 2019, a vendor shall not sell
38 or otherwise transfer ownership of any ammunition without, at the
39 time of delivery, legibly recording the following information:

40 (1) The purchaser's full name.

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

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

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

6 (5) The name of the salesperson who processed the sale or other
7 transaction.

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

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

11 (b) Commencing July 1, 2019, the vendor shall electronically
12 submit to the department the information required by subdivision
13 (a) in a format and a manner prescribed by the department for all
14 sales or other transfers of ammunition. The department shall retain
15 this information for two years in a database to be known as the
16 Ammunition Purchase Records File for the sole purpose of aiding
17 and assisting local and state law enforcement agencies in an active
18 investigation. The vendor shall not share any of the information
19 required by subdivision (a) for any reason other than for authorized
20 law enforcement purposes. The information in the Ammunition
21 Purchase Records File may be accessed by a state or local law
22 enforcement agency only if the department is provided a case
23 number or other sufficient information as determined by the
24 department that indicates an active ~~investigation~~, *investigation* and
25 the information sought is for the investigation or prosecution of
26 that case.

27 (c) In the case that a vendor cannot submit the information
28 required by subdivision (a) electronically via an Internet
29 connection, the department shall provide a telephone line to submit
30 the information if the vendor can demonstrate legitimate geographic
31 and telecommunications limitations to submitting the information
32 electronically, and the department approves the vendor's use of
33 the telephone line.

34 (d) This section shall not apply to or affect sales or other
35 transfers of ammunition by ammunition vendors to any of the
36 following, if properly identified:

37 (1) A firearms dealer licensed pursuant to Sections 26700 to
38 26915, inclusive.

- 1 (2) A person who is on the centralized list of federal firearms
2 licensees maintained by the department pursuant to Article 6
3 (commencing with Section 28450) of Chapter 6 of Division 6.
- 4 (3) A gunsmith as defined in Section 16630.
- 5 (4) A wholesaler as defined in Section 17340.
- 6 (5) A manufacturer or importer of firearms licensed pursuant
7 to Chapter 44 (commencing with Section 921) of Title 18 of the
8 United States ~~Code~~, *Code* and the regulations issued pursuant
9 thereto.
- 10 (6) An ammunition vendor.
- 11 (7) An authorized law enforcement representative of a city,
12 county, city and county, or state or federal government, if the sale
13 or other transfer is for exclusive use by that government agency,
14 and, prior to the sale, delivery, or transfer of the ammunition,
15 written authorization from the head of the agency, or designee,
16 authorizing the transaction is presented to the person from whom
17 the purchase, delivery, or transfer is being made. Proper written
18 authorization is defined as verifiable written certification from the
19 head of the agency, or designee, by which the purchaser, transferee,
20 or person otherwise acquiring ownership is employed, identifying
21 the employee as an individual authorized to conduct the transaction,
22 and authorizing the transaction for the exclusive use of the agency
23 by which that individual is employed.
- 24 (8) A properly identified sworn peace officer, as defined in
25 Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2,
26 or properly identified sworn member of a federal law enforcement
27 agency who is authorized to carry a firearm in the course and scope
28 of the officer's duties.
- 29 (9) A target facility that holds a business or regulatory license.
- 30 (10) A person who purchases or receives ammunition at a target
31 facility holding a business or other regulatory license, provided
32 that the ammunition is at all times kept within the facility's
33 premises and used on the premises.
- 34 (11) A commercial hunting club, as defined in Section 3240.5
35 of the Fish and Game Code.
- 36 (12) A domesticated game bird hunting club, pursuant to Section
37 3270 of the Fish and Game Code.
- 38 (13) A domesticated migratory game bird shooting club,
39 pursuant to Article 4 (commencing with Section 3300) of Chapter
40 2 of Part 1 of Division 4 of the Fish and Game Code.

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

3 (A) A commercial hunting club, as defined in Section 3240.5
4 of the Fish and Game Code, provided the ammunition is used and
5 consumed on the licensed premises while engaged in lawful
6 hunting activity.

7 (B) A domesticated game bird hunting club, pursuant to Section
8 3270 of the Fish and Game Code, provided the ammunition is used
9 and consumed on the licensed premises while engaged in lawful
10 hunting activity.

11 (C) A domesticated migratory game bird shooting club, pursuant
12 to Article 4 (commencing with Section 3300) of Chapter 2 of Part
13 1 of Division 4 of the Fish and Game Code, provided the
14 ammunition is used and consumed on the licensed premises while
15 engaged in lawful hunting activity.

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

19 (16) A participant at a shooting or hunting event conducted by
20 a nonprofit mutual or public benefit corporation organized pursuant
21 to the Corporations Code that engages in recreational shooting or
22 lawful hunting activity provided that the ammunition is used and
23 consumed during the event.

24 30370. A vendor shall not knowingly make a false entry ~~in~~, or
25 fail to make a required entry of information in accordance with
26 Section 30369.

27 SEC. 14. No reimbursement is required by this act pursuant to
28 Section 6 of Article XIII B of the California Constitution for certain
29 costs that may be incurred by a local agency or school district
30 because, in that regard, this act creates a new crime or infraction,
31 eliminates a crime or infraction, or changes the penalty for a crime
32 or infraction, within the meaning of Section 17556 of the
33 Government Code, or changes the definition of a crime within the
34 meaning of Section 6 of Article XIII B of the California
35 Constitution.

36 However, if the Commission on State Mandates determines that
37 this act contains other costs mandated by the state, reimbursement
38 to local agencies and school districts for those costs shall be made
39 pursuant to Part 7 (commencing with Section 17500) of Division
40 4 of Title 2 of the Government Code.

1 SEC. 15. The Legislature finds and declares that Section 13 of
2 this act, which adds Section 30369 to the Penal Code, imposes a
3 limitation on the public’s right of access to the meetings of public
4 bodies or the writings of public officials and agencies within the
5 meaning of Section 3 of Article I of the California Constitution.
6 Pursuant to that constitutional provision, the Legislature makes
7 the following findings to demonstrate the interest protected by this
8 limitation and the need for protecting that interest:
9 In order to protect the personal information of ammunition
10 purchasers, it is necessary that this act limit the public’s right of
11 access to that information.

O