

AMENDED IN SENATE JULY 5, 1995

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

ASSEMBLY BILL

No. 635

Introduced by Assembly Member Bowler

February 21, 1995

An act to add Section 12039 to the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

AB 635, as amended, Bowler. Firearms: report on use in certain crimes.

Existing law requires the Attorney General to make reports to the Legislature regarding various subjects, including wiretapping, sex abuse offenses, hate crimes, and domestic violence.

This bill would require the Attorney General to provide the Legislature with a written report on the specific types of firearms used in the commission of crimes, as specified, based upon information obtained from state and local crime laboratories, on or before April 15 of each year, commencing in 1996.

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

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

1 SECTION 1. (a) The Legislature finds and declares
2 as follows:

1 (1) There is a significant need for accurate
2 information concerning the various types of firearms
3 used in the commission of crimes.

4 (2) The state and local crime laboratories are
5 currently the most reliable and centralized repository of
6 information concerning the various types of firearms
7 used in the commission of crimes.

8 (3) Recognizing that all firearms used in the
9 commission of crimes are not submitted for forensic
10 examination, those that are will provide a statistically
11 significant data base for considering possible future
12 changes in public policy.

13 (4) Both state and local crime laboratories are already
14 linked with the California Criminalistics Institute of the
15 Department of Justice, thus facilitating the transmission
16 of information.

17 SEC. 2. Section 12039 is added to the Penal Code, to
18 read:

19 12039. The Attorney General shall provide the
20 Legislature on or before April 15 of each year,
21 commencing in 1996, a written report on the specific
22 types of firearms used in the commission of crimes based
23 upon information obtained from state and local crime
24 laboratories. The report shall include all of the following
25 information regarding crimes in which firearms were
26 used:

27 (a) A description of the relative occurrence of
28 firearms most frequently used in the commission of
29 violent crimes, distinguishing whether the firearms used
30 were handguns, rifles, shotguns, assault weapons, or other
31 related types of weapons.

32 (b) A description of specific types of firearms that are
33 used in homicides or street gang and drug trafficking
34 crimes.

35 (c) The frequency with which stolen firearms were
36 used in the commission of the crimes.

37 (d) The frequency with which fully automatic
38 firearms were used in the commission of the crimes.

39 (e) Any trends of importance such as those involving
40 specialized ammunition or firearms modifications, such



1 as conversion to a fully automatic weapon, removal of
2 serial number, shortening of barrel, or use of a suppressor.
3 *SEC. 3. It is the intent of the Legislature that the costs*
4 *incurred in implementing this act shall be funded from*
5 *existing resources available to the Department of Justice.*

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