

Assembly Bill No. 635

CHAPTER 559

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

[Approved by Governor September 15, 1996. Filed
with Secretary of State September 16, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

AB 635, 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 1998.

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

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

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

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

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

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

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

12039. The Attorney General shall provide the Legislature on or before April 15 of each year, commencing in 1998, a written report on the specific types of firearms used in the commission of crimes based upon information obtained from state and local crime laboratories. The report shall include all of the following information regarding crimes in which firearms were used:

(a) A description of the relative occurrence of firearms most frequently used in the commission of violent crimes, distinguishing



whether the firearms used were handguns, rifles, shotguns, assault weapons, or other related types of weapons.

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

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

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

(e) Any trends of importance such as those involving specialized ammunition or firearms modifications, such as conversion to a fully automatic weapon, removal of serial number, shortening of barrel, or use of a suppressor.

SEC. 3. It is the intent of the Legislature that the costs incurred in implementing this act shall be funded from existing resources available to the Department of Justice.

