

Assembly Bill No. 1188

CHAPTER 976

An act to add Section 12001.1 to the Penal Code, relating to undetectable knives.

[Approved by Governor October 10, 1999. Filed
with Secretary of State October 10, 1999.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1188, Runner. Undetectable knives.

Existing law makes it a misdemeanor or a felony for any person in this state to manufacture or cause to be manufactured, import into the state, keep for sale, or offer or expose for sale, or to give, lend, or possess any specified weapon, including, but not limited to, any undetectable firearm.

This bill would provide that any person in this state who commercially manufactures or causes to be commercially manufactured, or who knowingly imports into the state for commercial sale, keeps for commercial sale, or offers or exposes for commercial sale any undetectable knife, as defined, is guilty of a misdemeanor. This bill would also, as of a specified date, require California commercial manufacturers of undetectable knives, as defined, that utilize undetectable materials to include materials that will ensure they are detectable by a metal detector set at standard calibration. The bill would exempt from these provisions undetectable knives that are manufactured or imported for sale to, or subsequently sold to, law enforcement or military entities. This bill would also exempt from these provisions undetectable knives that are manufactured or imported for sale to, or subsequently sold to, historical societies, museums, and institutional collections. By creating a new crime, the bill would impose a state-mandated local program.

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 no reimbursement is required by this act for a specified reason.

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

SECTION 1. Section 12001.1 is added to the Penal Code, to read:

12001.1. (a) Any person in this state who commercially manufactures or causes to be commercially manufactured, or who



knowingly imports into the state for commercial sale, keeps for commercial sale, or offers or exposes for commercial sale, any undetectable knife is guilty of a misdemeanor. As used in this section, an “undetectable knife” means any knife or other instrument with or without a handguard that is capable of ready use as a stabbing weapon that may inflict great bodily injury or death that is commercially manufactured to be used as a weapon and is not detectable by a metal detector set at standard calibration.

(b) Notwithstanding any other provision of law, commencing January 1, 2000, all knives or other instrument with or without a handguard that is capable of ready use as a stabbing weapon that may inflict great bodily injury or death that are commercially manufactured in this state that utilize materials that are not detectable by a metal detector shall be manufactured to include materials that will ensure they are detectable by a metal detector set at standard calibration.

(c) This section shall not apply to the manufacture or importation of undetectable knives for sale to a law enforcement or military entity nor shall this section apply to the subsequent sale of these knives to a law enforcement or military entity.

(d) This section shall not apply to the manufacture or importation of undetectable knives for sale to federal, state, and local historical societies, museums, and institutional collections which are open to the public, provided that the undetectable knives are properly housed and secured from unauthorized handling, nor shall this section apply to the subsequent sale of the knives to these societies, museums, and collections.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

