

Assembly Bill No. 1717

CHAPTER 271

An act to add Section 12072.5 to the Penal Code, relating to firearms.

[Approved by Governor August 31, 2000. Filed with
Secretary of State September 1, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1717, Hertzberg. Firearms: ballistic testing.

(1) Existing law regulates the sale, transfer, and delivery of firearms by persons, corporations, firms, and dealers. Violations of specified provisions of law governing the sale or transfer of firearms may be punished as a misdemeanor or a felony.

This bill would require the Attorney General to conduct a study to evaluate ballistics identification systems, as defined, to determine the feasibility and potential benefits to law enforcement of utilizing a statewide ballistics identification system capable of maintaining a data base of ballistic images and information from test fired and sold firearms, as specified. The Attorney General would be required to submit a report to the Legislature with the results of the study no later than June 1, 2001.

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

SECTION 1. Section 12072.5 is added to the Penal Code, to read:

12072.5. (a) For purposes of this section, "ballistics identification systems" includes, but is not limited to, any automated image analysis system that is capable of storing firearm ballistic markings and tracing those markings to the firearm that produced them.

(b) The Attorney General shall conduct a study to evaluate ballistics identification systems to determine the feasibility and potential benefits to law enforcement of utilizing a statewide ballistics identification system capable of maintaining a data base of ballistic images and information from test fired and sold firearms. The study shall include an evaluation of ballistics identification systems currently used by state and federal law enforcement agencies and the firearms industry. The Attorney General shall consult with law enforcement agencies, firearms industry representatives, private technology providers, and other appropriate parties in conducting the study.

(c) In evaluating ballistics identification systems to determine the feasibility of utilizing a statewide system as required pursuant to

subdivision (b), the Attorney General shall consider, at a minimum, the following:

(1) The development of methods by which firearm manufacturers, importers, and dealers may potentially capture ballistic images from firearms prior to sale in California and forward that information to the Attorney General.

(2) The development of methods by which the Attorney General will receive, store, and make available to law enforcement ballistic images submitted by firearm manufacturers, importers, and dealers prior to sale in California.

(3) The potential financial costs to the Attorney General of implementing and operating a statewide ballistics identification system, including the process for receipt of information from firearm manufacturers, importers, and dealers.

(4) The capability of a ballistics identification system maintaining a data base of ballistic images and information from test fired firearms for all firearms sold in California.

(5) The compatibility of a ballistics identification system with ballistics identification systems that are currently used by law enforcement agencies in California.

(6) A method to ensure that state and local law enforcement agencies can forward ballistic identification information to the Attorney General for inclusion in a statewide ballistics identification system.

(7) The feasibility and potential benefits to law enforcement of requiring firearm manufacturers, importers, and dealers to provide the Attorney General with ballistic images from any, or a selected number of, test fired firearms prior to the sale of those firearms in California.

(d) The Attorney General shall submit a report to the Legislature with the results of the study not later than June 1, 2001. In the event the report includes a determination that a ballistics identification system and data base is feasible and would benefit law enforcement, the report shall also recommend a strategy for implementation.

