

AMENDED IN SENATE AUGUST 25, 2000

AMENDED IN SENATE JUNE 1, 2000

AMENDED IN ASSEMBLY APRIL 5, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 2351

Introduced by Assembly Member Zettel
(Principal coauthor: Senator Peace)

February 24, 2000

An act to amend Sections 12132 and 12276.1 of the Penal Code, relating to weapons.

LEGISLATIVE COUNSEL'S DIGEST

AB 2351, as amended, Zettel. Weapons: manufacture, import, and sale.

(1) Existing law, commencing January 1, 2001, makes it a misdemeanor to manufacture or cause to be manufactured, import into the state for sale, keep for sale, offer or expose for sale, give, or lend any unsafe handgun, except as specified.

Existing law, commencing January 1, 2001, additionally requires every person licensed to manufacture firearms pursuant to federal law who manufactures firearms in this state and every person who imports into the state for sale, keeps for sale, or offers or exposes for sale any firearm to certify under penalty of perjury that every model, kind, class, style, or type of pistol, revolver, or other firearm capable of being concealed upon the person that he or she manufactures

or imports, keeps, or exposes for sale is not a prohibited unsafe handgun.

This bill would exempt from these requirements certain ~~firearms~~ *pistols* that are used in official Olympic-style international shooting competition, as specified.

(2) Existing law defines the term “assault weapon” by, among other things, designating a list of specified semiautomatic firearms and providing descriptive definitions concerning the capacity and function of the weapon.

The bill additionally would specify that the definition of “assault weapon” does not include certain ~~firearms~~ *pistols* that are used in official Olympic-style international shooting competition, as specified.

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. It is the intent of the Legislature in
2 enacting this bill to simplify the application of its
3 provisions by the Department of Justice and to ensure
4 that these provisions only have the effect of allowing
5 access to, and use of, ~~firearms~~ *pistols* for Olympic-style
6 shooting, without affecting other ~~firearms~~ *pistols*
7 regulated under existing law.

8 SEC. 2. Section 12132 of the Penal Code is amended
9 to read:

10 12132. This chapter shall not apply to any of the
11 following:

12 (a) The sale, loan, or transfer of any firearm pursuant
13 to Section 12082 or 12084 in order to comply with
14 subdivision (d) of Section 12072.

15 (b) The sale, loan, or transfer of any firearm that is
16 exempt from the provisions of subdivision (d) of Section
17 12072 pursuant to any applicable exemption contained in
18 Section 12078, if the sale, loan, or transfer complies with
19 the requirements of that applicable exemption to
20 subdivision (d) of Section 12072.



1 (c) The sale, loan, or transfer of any firearm as
2 described in paragraph (3) of subdivision (b) of Section
3 12125.

4 (d) The delivery of a pistol, revolver, or other firearm
5 capable of being concealed upon the person to a person
6 licensed pursuant to Section 12071 for the purposes of the
7 service or repair of that firearm.

8 (e) The return of a pistol, revolver, or other firearm
9 capable of being concealed upon the person by a person
10 licensed pursuant to Section 12071 to its owner where that
11 firearm was initially delivered in the circumstance set
12 forth in subdivision (d).

13 (f) The return of a pistol, revolver, or other firearm
14 capable of being concealed upon the person by a person
15 licensed pursuant to Section 12071 to its owner where that
16 firearm was initially delivered to that licensee for the
17 purpose of a consignment sale or as collateral for a
18 pawnbroker loan.

19 (g) The sale, loan, or transfer of any pistol, revolver, or
20 other firearm capable of being concealed upon the
21 person listed as a curio or relic, as defined in Section
22 178.11 of the Code of Federal Regulations.

23 (h) (1) The Legislature finds a significant public
24 purpose in exempting ~~firearms~~ *pistols* that are designed
25 expressly for use in Olympic target shooting events.
26 ~~Therefore, it is the intent of the Legislature to exempt~~
27 ~~those pistols that are sanctioned by the International~~
28 ~~Olympic Committee and by USA Shooting, the national~~
29 ~~governing body for international shooting competition in~~
30 ~~the United States, and that are used for Olympic target~~
31 ~~shooting purposes at the time this section that the act~~
32 ~~adding this subdivision is enacted, and that fall within the~~
33 ~~definition of “unsafe handgun” pursuant to paragraph~~
34 ~~(3) of subdivision (b) of Section 12126 shall be exempt, as~~
35 ~~provided in paragraph (2).~~

36 (2) This chapter shall not apply to any of the following
37 ~~firearms~~ *pistols*, because they are consistent with the
38 significant public purpose expressed in paragraph (1):
39



1	MANUFACTURER	MODEL	CALIBER
2	ANSCHUTZ	FP	.22LR
3	BENELLI	MP90	.22LR
4	BENELLI	MP90	.32 S&W LONG
5	BENELLI	MP95	.22LR
6	BENELLI	MP95	.32 S&W LONG
7	DRULOV	FP	.22LR
8	GREEN	ELECTROARM	.22LR
9	HAMMERLI	100	.22LR
10	HAMMERLI	101	.22LR
11	HAMMERLI	102	.22LR
12	HAMMERLI	162	.22LR
13	HAMMERLI	280	.22LR
14	HAMMERLI	280	.32 S&W LONG
15	HAMMERLI	FP10	.22LR
16	HAMMERLI	MP33	.22LR
17	HAMMERLI	SP20	.22LR
18	HAMMERLI	SP20	.32 S&W LONG
19	MORINI	CM102E	.22LR
20	MORINI	22M	.22LR
21	MORINI	32M	.32 S&W LONG
22	MORINI	CM80	.22LR
23	PARDINI	GP	.22 SHORT
24	PARDINI	GPO	.22 SHORT
25	PARDINI	GP-SCHUMANN	.22 SHORT
26	PARDINI	HP	.32 S&W LONG
27	PARDINI	K22	.22LR
28	PARDINI	MP	.32 S&W LONG
29	PARDINI	PGP75	.22LR
30	PARDINI	SP	.22LR
31	PARDINI	SPE	.22LR
32	SAKO	FINMASTER	.22LR
33	STEYR	FP	.22LR
34	VOSTOK	IZH NO. 1	.22LR
35	VOSTOK	MU55	.22LR
36	VOSTOK	TOZ35	.22LR
37	WALTHER	FP	.22LR
38	WALTHER	GSP	.22LR
39	WALTHER	GSP	.32 S&W LONG



1 WALTHER OSP .22 SHORT
2 WALTHER OSP-2000 .22 SHORT

3
4 SEC. 3. Section 12276.1 of the Penal Code is amended
5 to read:

6 12276.1. (a) Notwithstanding Section 12276, “assault
7 weapon” shall also mean any of the following:

8 (1) A semiautomatic, centerfire rifle that has the
9 capacity to accept a detachable magazine and any one of
10 the following:

11 (A) A pistol grip that protrudes conspicuously beneath
12 the action of the weapon.

13 (B) A thumbhole stock.

14 (C) A folding or telescoping stock.

15 (D) A grenade launcher or flare launcher.

16 (E) A flash suppressor.

17 (F) A forward pistol grip.

18 (2) A semiautomatic, centerfire rifle that has a fixed
19 magazine with the capacity to accept more than 10
20 rounds.

21 (3) A semiautomatic, centerfire rifle that has an
22 overall length of less than 30 inches.

23 (4) A semiautomatic pistol that has the capacity to
24 accept a detachable magazine and any one of the
25 following:

26 (A) A threaded barrel, capable of accepting a flash
27 suppressor, forward handgrip, or silencer.

28 (B) A second handgrip.

29 (C) A shroud that is attached to, or partially or
30 completely encircles, the barrel that allows the bearer to
31 fire the weapon without burning his or her hand, except
32 a slide that encloses the barrel.

33 (D) The capacity to accept a detachable magazine at
34 some location outside of the pistol grip.

35 (5) A semiautomatic pistol with a fixed magazine that
36 has the capacity to accept more than 10 rounds.

37 (6) A semiautomatic shotgun that has both of the
38 following:

39 (A) A folding or telescoping stock.



1 (B) A pistol grip that protrudes conspicuously beneath
2 the action of the weapon, thumbhole stock, or vertical
3 handgrip.

4 (7) A semiautomatic shotgun that has the ability to
5 accept a detachable magazine.

6 (8) Any shotgun with a revolving cylinder.

7 (b) The Legislature finds a significant public purpose
8 in exempting ~~firearms~~ *pistols* that are designed expressly
9 for use in Olympic target shooting events. Therefore, ~~it~~
10 ~~is the intent of the Legislature to exempt~~ those pistols *that*
11 *are sanctioned by the International Olympic Committee*
12 *and by USA Shooting, the national governing body for*
13 *international shooting competition in the United States,*
14 *and that are used for Olympic target shooting purposes*
15 *at the time the act adding this subdivision is enacted, and*
16 *that would otherwise fall within the definition of “assault*
17 *weapon” pursuant to this section are exempt, as provided*
18 *in subdivision (c).*

19 (c) “Assault weapon” does not include either of the
20 following:

21 (1) Any antique firearm.

22 (2) Any of the following ~~firearms~~ *pistols*, because they
23 are consistent with the significant public purpose
24 expressed in subdivision (b):

25

26	MANUFACTURER	MODEL	CALIBER
27	BENELLI	MP90	.22LR
28	BENELLI	MP90	.32 S&W LONG
29	BENELLI	MP95	.22LR
30	BENELLI	MP95	.32 S&W LONG
31	HAMMERLI	280	.22LR
32	HAMMERLI	280	.32 S&W LONG
33	HAMMERLI	SP20	.22LR
34	HAMMERLI	SP20	.32 S&W LONG
35	PARDINI	GPO	.22 SHORT
36	PARDINI	GP-SCHUMANN	.22 SHORT
37	PARDINI	HP	.32 S&W LONG
38	PARDINI	MP	.32 S&W LONG
39	PARDINI	SP	.22 LR
40	PARDINI	SPE	.22 LR



1	WALTHER	GSP	.22LR
2	WALTHER	GSP	.32 S&W LONG
3	WALTHER	OSP	.22 SHORT
4	WALTHER	OSP-2000	.22 SHORT

5

6 (d) The following definitions shall apply under this
7 section:

8 (1) "Magazine" shall mean any ammunition feeding
9 device.

10 (2) "Capacity to accept more than 10 rounds" shall
11 mean capable of accommodating more than 10 rounds,
12 but shall not be construed to include a feeding device that
13 has been permanently altered so that it cannot
14 accommodate more than 10 rounds.

15 (3) "Antique firearm" means any firearm
16 manufactured prior to January 1, 1899.

17 (e) This section shall become operative January 1,
18 2000.

19 SEC. 4. If any provision of this act or the application
20 thereof to any person or circumstance is held invalid, that
21 invalidity may not affect other provisions or applications
22 of this act that can be given effect without the invalid
23 provision or application, and to this end the provisions of
24 this act are severable.

