

ASSEMBLY BILL

No. 714

Introduced by Assembly Member Feuer

February 26, 2009

An act to amend Section 12020 of, and to repeal Section 12020.1 of, the Penal Code, relating to metal or composite knuckles.

LEGISLATIVE COUNSEL'S DIGEST

AB 714, as introduced, Feuer. Metal or composite knuckles.

Existing law makes it an offense punishable by imprisonment in a county jail not exceeding one year or in the state prison for any person who manufactures or causes to be manufactured, imports into the state, keeps for sale, or offers or exposes for sale, or who gives, lends, or possesses any of certain dangerous weapons, including among others, metal knuckles, as defined. Existing law also provides that it is a misdemeanor for any person to commercially manufacture or cause to be commercially manufactured, or to knowingly import into the state for commercial sale, keep for commercial sale, or offer or expose for commercial sale, any hard plastic knuckles or hard wooden knuckles, as defined.

This bill would expand the prohibition against metal knuckles described above to include composite knuckles, as defined. The bill would define composite knuckles to include the elements contained in the definition of hard plastic and hard wooden knuckles. The bill would repeal the provisions relating to hard plastic or hard wooden knuckles.

By expanding the scope of an existing crime, this 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.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

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

1 SECTION 1. Section 12020 of the Penal Code is amended to
2 read:

3 12020. (a) Any person in this state who does any of the
4 following is punishable by imprisonment in a county jail not
5 exceeding one year or in the state prison:

6 (1) Manufactures or causes to be manufactured, imports into
7 the state, keeps for sale, or offers or exposes for sale, or who gives,
8 lends, or possesses any cane gun or wallet gun, any undetectable
9 firearm, any firearm which is not immediately recognizable as a
10 firearm, any camouflaging firearm container, any ammunition
11 which contains or consists of any fl  chette dart, any bullet
12 containing or carrying an explosive agent, any ballistic knife, any
13 multiburst trigger activator, any nunchaku, any short-barreled
14 shotgun, any short-barreled rifle, any metal *or composite* knuckles,
15 any belt buckle knife, any leaded cane, any zip gun, any shuriken,
16 any unconventional pistol, any lipstick case knife, any cane sword,
17 any shobi-zue, any air gauge knife, any writing pen knife, any
18 metal military practice handgrenade or metal replica handgrenade,
19 or any instrument or weapon of the kind commonly known as a
20 blackjack, slungshot, billy, sandclub, sap, or sandbag.

21 (2) Commencing January 1, 2000, manufactures or causes to
22 be manufactured, imports into the state, keeps for sale, or offers
23 or exposes for sale, or who gives, or lends, any large-capacity
24 magazine.

25 (3) Carries concealed upon his or her person any explosive
26 substance, other than fixed ammunition.

27 (4) Carries concealed upon his or her person any dirk or dagger.

28 However, a first offense involving any metal military practice
29 handgrenade or metal replica handgrenade shall be punishable
30 only as an infraction unless the offender is an active participant in

1 a criminal street gang as defined in the Street Terrorism and
2 Enforcement and Prevention Act (Chapter 11 (commencing with
3 Section 186.20) of Title 7 of Part 1). A bullet containing or carrying
4 an explosive agent is not a destructive device as that term is used
5 in Section 12301.

6 (b) Subdivision (a) does not apply to any of the following:

7 (1) The sale to, purchase by, or possession of short-barreled
8 shotguns or short-barreled rifles by police departments, sheriffs'
9 offices, marshals' offices, the California Highway Patrol, the
10 Department of Justice, the Department of Corrections and
11 Rehabilitation, or the military or naval forces of this state or of the
12 United States for use in the discharge of their official duties or the
13 possession of short-barreled shotguns and short-barreled rifles by
14 peace officer members of a police department, sheriff's office,
15 marshal's office, the California Highway Patrol, the Department
16 of Justice, or the Department of Corrections and Rehabilitation,
17 when on duty and the use is authorized by the agency and is within
18 the course and scope of their duties and the peace officer has
19 completed a training course in the use of these weapons certified
20 by the Commission on Peace Officer Standards and Training.

21 (2) The manufacture, possession, transportation or sale of
22 short-barreled shotguns or short-barreled rifles when authorized
23 by the Department of Justice pursuant to Article 6 (commencing
24 with Section 12095) and not in violation of federal law.

25 (3) The possession of a nunchaku on the premises of a school
26 which holds a regulatory or business license and teaches the arts
27 of self-defense.

28 (4) The manufacture of a nunchaku for sale to, or the sale of a
29 nunchaku to, a school which holds a regulatory or business license
30 and teaches the arts of self-defense.

31 (5) Any antique firearm. For purposes of this section, "antique
32 firearm" means any firearm not designed or redesigned for using
33 rimfire or conventional center fire ignition with fixed ammunition
34 and manufactured in or before 1898 (including any matchlock,
35 flintlock, percussion cap, or similar type of ignition system or
36 replica thereof, whether actually manufactured before or after the
37 year 1898) and also any firearm using fixed ammunition
38 manufactured in or before 1898, for which ammunition is no longer
39 manufactured in the United States and is not readily available in
40 the ordinary channels of commercial trade.

1 (6) Tracer ammunition manufactured for use in shotguns.

2 (7) Any firearm or ammunition that is a curio or relic as defined
3 in Section 478.11 of Title 27 of the Code of Federal Regulations
4 and which is in the possession of a person permitted to possess the
5 items pursuant to Chapter 44 (commencing with Section 921) of
6 Title 18 of the United States Code and the regulations issued
7 pursuant thereto. Any person prohibited by Section 12021, 12021.1,
8 or 12101 of this code or Section 8100 or 8103 of the Welfare and
9 Institutions Code from possessing firearms or ammunition who
10 obtains title to these items by bequest or intestate succession may
11 retain title for not more than one year, but actual possession of
12 these items at any time is punishable pursuant to Section 12021,
13 12021.1, or 12101 of this code or Section 8100 or 8103 of the
14 Welfare and Institutions Code. Within the year, the person shall
15 transfer title to the firearms or ammunition by sale, gift, or other
16 disposition. Any person who violates this paragraph is in violation
17 of subdivision (a).

18 (8) Any other weapon as defined in subsection (e) of Section
19 5845 of Title 26 of the United States Code and which is in the
20 possession of a person permitted to possess the weapons pursuant
21 to the federal Gun Control Act of 1968 (Public Law 90-618), as
22 amended, and the regulations issued pursuant thereto. Any person
23 prohibited by Section 12021, 12021.1, or 12101 of this code or
24 Section 8100 or 8103 of the Welfare and Institutions Code from
25 possessing these weapons who obtains title to these weapons by
26 bequest or intestate succession may retain title for not more than
27 one year, but actual possession of these weapons at any time is
28 punishable pursuant to Section 12021, 12021.1, or 12101 of this
29 code or Section 8100 or 8103 of the Welfare and Institutions Code.
30 Within the year, the person shall transfer title to the weapons by
31 sale, gift, or other disposition. Any person who violates this
32 paragraph is in violation of subdivision (a). The exemption
33 provided in this subdivision does not apply to pen guns.

34 (9) Instruments or devices that are possessed by federal, state,
35 and local historical societies, museums, and institutional collections
36 which are open to the public, provided that these instruments or
37 devices are properly housed, secured from unauthorized handling,
38 and, if the instrument or device is a firearm, unloaded.

39 (10) Instruments or devices, other than short-barreled shotguns
40 or short-barreled rifles, that are possessed or utilized during the

1 course of a motion picture, television, or video production or
2 entertainment event by an authorized participant therein in the
3 course of making that production or event or by an authorized
4 employee or agent of the entity producing that production or event.

5 (11) Instruments or devices, other than short-barreled shotguns
6 or short-barreled rifles, that are sold by, manufactured by, exposed
7 or kept for sale by, possessed by, imported by, or lent by persons
8 who are in the business of selling instruments or devices listed in
9 subdivision (a) solely to the entities referred to in paragraphs (9)
10 and (10) when engaging in transactions with those entities.

11 (12) The sale to, possession of, or purchase of any weapon,
12 device, or ammunition, other than a short-barreled rifle or
13 short-barreled shotgun, by any federal, state, county, city and
14 county, or city agency that is charged with the enforcement of any
15 law for use in the discharge of their official duties, or the
16 possession of any weapon, device, or ammunition, other than a
17 short-barreled rifle or short-barreled shotgun, by peace officers
18 thereof when on duty and the use is authorized by the agency and
19 is within the course and scope of their duties.

20 (13) Weapons, devices, and ammunition, other than a
21 short-barreled rifle or short-barreled shotgun, that are sold by,
22 manufactured by, exposed or kept for sale by, possessed by,
23 imported by, or lent by, persons who are in the business of selling
24 weapons, devices, and ammunition listed in subdivision (a) solely
25 to the entities referred to in paragraph (12) when engaging in
26 transactions with those entities.

27 (14) The manufacture for, sale to, exposing or keeping for sale
28 to, importation of, or lending of wooden clubs or batons to special
29 police officers or uniformed security guards authorized to carry
30 any wooden club or baton pursuant to Section 12002 by entities
31 that are in the business of selling wooden batons or clubs to special
32 police officers and uniformed security guards when engaging in
33 transactions with those persons.

34 (15) Any plastic toy handgrenade, or any metal military practice
35 handgrenade or metal replica handgrenade that is a relic, curio,
36 memorabilia, or display item, that is filled with a permanent inert
37 substance or that is otherwise permanently altered in a manner that
38 prevents ready modification for use as a grenade.

1 (16) Any instrument, ammunition, weapon, or device listed in
2 subdivision (a) that is not a firearm that is found and possessed by
3 a person who meets all of the following:

4 (A) The person is not prohibited from possessing firearms or
5 ammunition pursuant to Section 12021 or 12021.1 or paragraph
6 (1) of subdivision (b) of Section 12316 of this code or Section
7 8100 or 8103 of the Welfare and Institutions Code.

8 (B) The person possessed the instrument, ammunition, weapon,
9 or device no longer than was necessary to deliver or transport the
10 same to a law enforcement agency for that agency's disposition
11 according to law.

12 (C) If the person is transporting the listed item, he or she is
13 transporting the listed item to a law enforcement agency for
14 disposition according to law.

15 (17) Any firearm, other than a short-barreled rifle or
16 short-barreled shotgun, that is found and possessed by a person
17 who meets all of the following:

18 (A) The person is not prohibited from possessing firearms or
19 ammunition pursuant to Section 12021 or 12021.1 or paragraph
20 (1) of subdivision (b) of Section 12316 of this code or Section
21 8100 or 8103 of the Welfare and Institutions Code.

22 (B) The person possessed the firearm no longer than was
23 necessary to deliver or transport the same to a law enforcement
24 agency for that agency's disposition according to law.

25 (C) If the person is transporting the firearm, he or she is
26 transporting the firearm to a law enforcement agency for
27 disposition according to law.

28 (D) Prior to transporting the firearm to a law enforcement
29 agency, he or she has given prior notice to that law enforcement
30 agency that he or she is transporting the firearm to that law
31 enforcement agency for disposition according to law.

32 (E) The firearm is transported in a locked container as defined
33 in subdivision (d) of Section 12026.2.

34 (18) The possession of any weapon, device, or ammunition, by
35 a forensic laboratory or any authorized agent or employee thereof
36 in the course and scope of his or her authorized activities.

37 (19) The sale of, giving of, lending of, importation into this state
38 of, or purchase of, any large-capacity magazine to or by any
39 federal, state, county, city and county, or city agency that is charged
40 with the enforcement of any law, for use by agency employees in

1 the discharge of their official duties whether on or off duty, and
2 where the use is authorized by the agency and is within the course
3 and scope of their duties.

4 (20) The sale to, lending to, transfer to, purchase by, receipt of,
5 or importation into this state of, a large-capacity magazine by a
6 sworn peace officer as defined in Chapter 4.5 (commencing with
7 Section 830) of Title 3 of Part 2 who is authorized to carry a
8 firearm in the course and scope of his or her duties.

9 (21) The sale or purchase of any large-capacity magazine to or
10 by a person licensed pursuant to Section 12071.

11 (22) The loan of a lawfully possessed large-capacity magazine
12 between two individuals if all of the following conditions are met:

13 (A) The person being loaned the large-capacity magazine is not
14 prohibited by Section 12021, 12021.1, or 12101 of this code or
15 Section 8100 or 8103 of the Welfare and Institutions Code from
16 possessing firearms or ammunition.

17 (B) The loan of the large-capacity magazine occurs at a place
18 or location where the possession of the large-capacity magazine
19 is not otherwise prohibited and the person who lends the
20 large-capacity magazine remains in the accessible vicinity of the
21 person to whom the large-capacity magazine is loaned.

22 (23) The importation of a large-capacity magazine by a person
23 who lawfully possessed the large-capacity magazine in the state
24 prior to January 1, 2000, lawfully took it out of the state, and is
25 returning to the state with the large-capacity magazine previously
26 lawfully possessed in the state.

27 (24) The lending or giving of any large-capacity magazine to a
28 person licensed pursuant to Section 12071, or to a gunsmith, for
29 the purposes of maintenance, repair, or modification of that
30 large-capacity magazine.

31 (25) The return to its owner of any large-capacity magazine by
32 a person specified in paragraph (24).

33 (26) The importation into this state of, or sale of, any
34 large-capacity magazine by a person who has been issued a permit
35 to engage in those activities pursuant to Section 12079, when those
36 activities are in accordance with the terms and conditions of that
37 permit.

38 (27) The sale of, giving of, lending of, importation into this state
39 of, or purchase of, any large-capacity magazine, to or by entities

1 that operate armored vehicle businesses pursuant to the laws of
2 this state.

3 (28) The lending of large-capacity magazines by the entities
4 specified in paragraph (27) to their authorized employees, while
5 in the course and scope of their employment for purposes that
6 pertain to the entity's armored vehicle business.

7 (29) The return of those large-capacity magazines to those
8 entities specified in paragraph (27) by those employees specified
9 in paragraph (28).

10 (30) (A) The manufacture of a large-capacity magazine for any
11 federal, state, county, city and county, or city agency that is charged
12 with the enforcement of any law, for use by agency employees in
13 the discharge of their official duties whether on or off duty, and
14 where the use is authorized by the agency and is within the course
15 and scope of their duties.

16 (B) The manufacture of a large-capacity magazine for use by a
17 sworn peace officer as defined in Chapter 4.5 (commencing with
18 Section 830) of Title 3 of Part 2 who is authorized to carry a
19 firearm in the course and scope of his or her duties.

20 (C) The manufacture of a large-capacity magazine for export
21 or for sale to government agencies or the military pursuant to
22 applicable federal regulations.

23 (31) The loan of a large-capacity magazine for use solely as a
24 prop for a motion picture, television, or video production.

25 (32) The purchase of a large-capacity magazine by the holder
26 of a special weapons permit issued pursuant to Section 12095,
27 12230, 12250, 12286, or 12305, for any of the following purposes:

28 (A) For use solely as a prop for a motion picture, television, or
29 video production.

30 (B) For export pursuant to federal regulations.

31 (C) For resale to law enforcement agencies, government
32 agencies, or the military, pursuant to applicable federal regulations.

33 (c) (1) As used in this section, a "short-barreled shotgun" means
34 any of the following:

35 (A) A firearm which is designed or redesigned to fire a fixed
36 shotgun shell and having a barrel or barrels of less than 18 inches
37 in length.

38 (B) A firearm which has an overall length of less than 26 inches
39 and which is designed or redesigned to fire a fixed shotgun shell.

1 (C) Any weapon made from a shotgun (whether by alteration,
2 modification, or otherwise) if that weapon, as modified, has an
3 overall length of less than 26 inches or a barrel or barrels of less
4 than 18 inches in length.

5 (D) Any device which may be readily restored to fire a fixed
6 shotgun shell which, when so restored, is a device defined in
7 subparagraphs (A) to (C), inclusive.

8 (E) Any part, or combination of parts, designed and intended
9 to convert a device into a device defined in subparagraphs (A) to
10 (C), inclusive, or any combination of parts from which a device
11 defined in subparagraphs (A) to (C), inclusive, can be readily
12 assembled if those parts are in the possession or under the control
13 of the same person.

14 (2) As used in this section, a “short-barreled rifle” means any
15 of the following:

16 (A) A rifle having a barrel or barrels of less than 16 inches in
17 length.

18 (B) A rifle with an overall length of less than 26 inches.

19 (C) Any weapon made from a rifle (whether by alteration,
20 modification, or otherwise) if that weapon, as modified, has an
21 overall length of less than 26 inches or a barrel or barrels of less
22 than 16 inches in length.

23 (D) Any device which may be readily restored to fire a fixed
24 cartridge which, when so restored, is a device defined in
25 subparagraphs (A) to (C), inclusive.

26 (E) Any part, or combination of parts, designed and intended
27 to convert a device into a device defined in subparagraphs (A) to
28 (C), inclusive, or any combination of parts from which a device
29 defined in subparagraphs (A) to (C), inclusive, may be readily
30 assembled if those parts are in the possession or under the control
31 of the same person.

32 (3) As used in this section, a “nunchaku” means an instrument
33 consisting of two or more sticks, clubs, bars or rods to be used as
34 handles, connected by a rope, cord, wire, or chain, in the design
35 of a weapon used in connection with the practice of a system of
36 self-defense such as karate.

37 (4) As used in this section, a “wallet gun” means any firearm
38 mounted or enclosed in a case, resembling a wallet, designed to
39 be or capable of being carried in a pocket or purse, if the firearm
40 may be fired while mounted or enclosed in the case.

(5) As used in this section, a “cane gun” means any firearm mounted or enclosed in a stick, staff, rod, crutch, or similar device, designed to be, or capable of being used as, an aid in walking, if the firearm may be fired while mounted or enclosed therein.

(6) As used in this section, a “fléchette dart” means a dart, capable of being fired from a firearm, that measures approximately one inch in length, with tail fins that take up approximately five-sixteenths of an inch of the body.

(7) As used in this section, “metal or composite knuckles” means any device or instrument made wholly or partially of metal, *plastic or wood, composite, or paper materials, other than a medically prescribed prosthetic or an unweighted glove*, which is worn for purposes of offense or defense in or on the hand and which either protects the wearer’s hand while striking a blow or increases the force of impact from the blow or injury to the individual receiving the blow. The *metal or composite materials* contained in the device may help support the hand or fist, provide a shield to protect it, or consist of *surfaces, edges, ridges, points*, projections or studs which would contact the individual receiving a blow.

(8) As used in this section, a “ballistic knife” means a device that propels a knifelike blade as a projectile by means of a coil spring, elastic material, or compressed gas. Ballistic knife does not include any device which propels an arrow or a bolt by means of any common bow, compound bow, crossbow, or underwater speargun.

(9) As used in this section, a “camouflaging firearm container” means a container which meets all of the following criteria:

(A) It is designed and intended to enclose a firearm.

(B) It is designed and intended to allow the firing of the enclosed firearm by external controls while the firearm is in the container.

(C) It is not readily recognizable as containing a firearm.

“Camouflaging firearm container” does not include any camouflaging covering used while engaged in lawful hunting or while going to or returning from a lawful hunting expedition.

(10) As used in this section, a “zip gun” means any weapon or device which meets all of the following criteria:

(A) It was not imported as a firearm by an importer licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.

1 (B) It was not originally designed to be a firearm by a
2 manufacturer licensed pursuant to Chapter 44 (commencing with
3 Section 921) of Title 18 of the United States Code and the
4 regulations issued pursuant thereto.

5 (C) No tax was paid on the weapon or device nor was an
6 exemption from paying tax on that weapon or device granted under
7 Section 4181 and Subchapters F (commencing with Section 4216)
8 and G (commencing with Section 4221) of Chapter 32 of Title 26
9 of the United States Code, as amended, and the regulations issued
10 pursuant thereto.

11 (D) It is made or altered to expel a projectile by the force of an
12 explosion or other form of combustion.

13 (11) As used in this section, a “shuriken” means any instrument,
14 without handles, consisting of a metal plate having three or more
15 radiating points with one or more sharp edges and designed in the
16 shape of a polygon, trefoil, cross, star, diamond, or other geometric
17 shape for use as a weapon for throwing.

18 (12) As used in this section, an “unconventional pistol” means
19 a firearm that does not have a rifled bore and has a barrel or barrels
20 of less than 18 inches in length or has an overall length of less than
21 26 inches.

22 (13) As used in this section, a “belt buckle knife” is a knife
23 which is made an integral part of a belt buckle and consists of a
24 blade with a length of at least 2½ inches.

25 (14) As used in this section, a “lipstick case knife” means a
26 knife enclosed within and made an integral part of a lipstick case.

27 (15) As used in this section, a “cane sword” means a cane,
28 swagger stick, stick, staff, rod, pole, umbrella, or similar device,
29 having concealed within it a blade that may be used as a sword or
30 stiletto.

31 (16) As used in this section, a “shobi-zue” means a staff, crutch,
32 stick, rod, or pole concealing a knife or blade within it which may
33 be exposed by a flip of the wrist or by a mechanical action.

34 (17) As used in this section, a “leaded cane” means a staff,
35 crutch, stick, rod, pole, or similar device, unnaturally weighted
36 with lead.

37 (18) As used in this section, an “air gauge knife” means a device
38 that appears to be an air gauge but has concealed within it a
39 pointed, metallic shaft that is designed to be a stabbing instrument

1 which is exposed by mechanical action or gravity which locks into
2 place when extended.

3 (19) As used in this section, a “writing pen knife” means a
4 device that appears to be a writing pen but has concealed within
5 it a pointed, metallic shaft that is designed to be a stabbing
6 instrument which is exposed by mechanical action or gravity which
7 locks into place when extended or the pointed, metallic shaft is
8 exposed by the removal of the cap or cover on the device.

9 (20) As used in this section, a “rifle” means a weapon designed
10 or redesigned, made or remade, and intended to be fired from the
11 shoulder and designed or redesigned and made or remade to use
12 the energy of the explosive in a fixed cartridge to fire only a single
13 projectile through a rifled bore for each single pull of the trigger.

14 (21) As used in this section, a “shotgun” means a weapon
15 designed or redesigned, made or remade, and intended to be fired
16 from the shoulder and designed or redesigned and made or remade
17 to use the energy of the explosive in a fixed shotgun shell to fire
18 through a smooth bore either a number of projectiles (ball shot)
19 or a single projectile for each pull of the trigger.

20 (22) As used in this section, an “undetectable firearm” means
21 any weapon which meets one of the following requirements:

22 (A) When, after removal of grips, stocks, and magazines, it is
23 not as detectable as the Security Exemplar, by walk-through metal
24 detectors calibrated and operated to detect the Security Exemplar.

25 (B) When any major component of which, when subjected to
26 inspection by the types of X-ray machines commonly used at
27 airports, does not generate an image that accurately depicts the
28 shape of the component. Barium sulfate or other compounds may
29 be used in the fabrication of the component.

30 (C) For purposes of this paragraph, the terms “firearm,” “major
31 component,” and “Security Exemplar” have the same meanings
32 as those terms are defined in Section 922 of Title 18 of the United
33 States Code.

34 All firearm detection equipment newly installed in nonfederal
35 public buildings in this state shall be of a type identified by either
36 the United States Attorney General, the Secretary of Transportation,
37 or the Secretary of the Treasury, as appropriate, as available
38 state-of-the-art equipment capable of detecting an undetectable
39 firearm, as defined, while distinguishing innocuous metal objects

likely to be carried on one's person sufficient for reasonable passage of the public.

(23) As used in this section, a "multiburst trigger activator" means one of the following devices:

(A) A device designed or redesigned to be attached to a semiautomatic firearm which allows the firearm to discharge two or more shots in a burst by activating the device.

(B) A manual or power-driven trigger activating device constructed and designed so that when attached to a semiautomatic firearm it increases the rate of fire of that firearm.

(24) As used in this section, a "dirk" or "dagger" means a 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. A nonlocking folding knife, a folding knife that is not prohibited by Section 653k, or a pocketknife is capable of ready use as a stabbing weapon that may inflict great bodily injury or death only if the blade of the knife is exposed and locked into position.

(25) As used in this section, "large-capacity magazine" means any ammunition feeding device with the capacity to accept more than 10 rounds, but shall not be construed to include any of the following:

(A) A feeding device that has been permanently altered so that it cannot accommodate more than 10 rounds.

(B) A .22 caliber tube ammunition feeding device.

(C) A tubular magazine that is contained in a lever-action firearm.

(d) Knives carried in sheaths which are worn openly suspended from the waist of the wearer are not concealed within the meaning of this section.

SEC. 2. Section 12020.1 of the Penal Code is repealed.

~~12020.1. 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 hard plastic knuckles or hard wooden knuckles is guilty of a misdemeanor. As used in this section, "hard plastic knuckles" or "hard wooden knuckles" means any device or instrument made wholly or partially of plastic or of wood, composite, or paper materials that is not a metal knuckle as defined in paragraph (7)~~

1 of subdivision (c) of Section 12020, that is worn for purposes of
2 offense or defense in or on the hand, and that either protects the
3 wearer's hand while striking a blow or increases the force of impact
4 from the blow or injury to the individual receiving the blow. The
5 plastic, wood, composite or paper products contained in the device
6 may help support the hand or fist, provide a shield to protect it, or
7 consist of projections or studs that would contact the individual
8 receiving a blow.

9 SEC. 3. No reimbursement is required by this act pursuant to
10 Section 6 of Article XIII B of the California Constitution because
11 the only costs that may be incurred by a local agency or school
12 district will be incurred because this act creates a new crime or
13 infraction, eliminates a crime or infraction, or changes the penalty
14 for a crime or infraction, within the meaning of Section 17556 of
15 the Government Code, or changes the definition of a crime within
16 the meaning of Section 6 of Article XIII B of the California
17 Constitution.