

California Department of Justice FIREARMS DIVISION Randy Rossi, Director	INFORMATION BULLETIN	
Subject: NEW AND AMENDED FIREARMS LAWS	No.: 2000 FD-06	For further information contact: Firearms Division (916) 227-3703
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TO: ALL CALIFORNIA FIREARMS DEALERS AND MANUFACTURERS

Effective January 1, 2001, the California Penal Code (PC) and Welfare and Institutions Code (WIC) will be revised to include new and amended code sections. This bulletin provides a brief summary of these changes. For more detailed language, you may contact the Legislative Bill Room at (916) 445-2323 to obtain copies of these bills (order by statute year and chapter number) or you may access the full text of these bills via the Internet at <http://www.leginfo.ca.gov/>. Additional information regarding firearms laws, including the full text of the Dangerous Weapons' Control Law, are available on the Internet at the Department of Justice (DOJ) Firearms Division web site at <http://caag.state.ca.us/firearms/>.

SB 15 (Stats. 1999, ch. 248) (Polanco) (1999 bill - Included due to Provisions Operative 1/1/2001)

- Effective January 1, 2001, requires handguns manufactured or sold in California to pass a series of tests relative to safety and functionality. This statute generally prohibits the manufacture, importation for sale, sale, or lending/transfer of any "unsafe" handgun. A violation of the provisions of this statute is a misdemeanor. (PC § 12125)
- Specifies firing and drop-safety requirements for handguns. (PC §§ 12127, 12128)
- Requires the DOJ to certify independent laboratories to test handguns for compliance with the safety/functionality provisions of this statute. This statute also requires the testing by a DOJ-certified independent laboratory of each handgun model sold, imported, or manufactured in this state to determine if that handgun model meets the specified firing and drop-safety requirements. (PC § 12130)
- Commencing January 1, 2001, requires the DOJ to compile, publish, and thereafter maintain a roster listing those handguns that have been tested and certified by the DOJ as "not unsafe" and, therefore, may be sold in California. (PC § 12131)
- The sale, loan, and transfer requirements of this statute generally do not apply to the sale/transfer of agency authorized duty firearms to peace officers; private party transfers; transfers that are not required to be conducted by firearms dealers; transfers of curios and relics; single-action revolvers as specified; the return of a firearm by a firearms dealer to a person who delivered the firearm to the dealer for service or repair; the return of a handgun by a consignment/pawn dealer to a person who delivered the firearm to the dealer for the purpose of a consignment sale or as collateral for a pawnbroker loan; and the sale/transfer of Olympic firearms specified in P.C. Section 12132 (h)(2). (PC §§ 12132, 12133)

- A comprehensive Information Bulletin is forthcoming to update dealers regarding the Dealer's Records of Sales (DROS) process changes relative to the implementation of SB 15. DOJ is currently in the process of enhancing the DROS entry system as needed to administer/enforce the requirements set forth in SB 15.

AB 719 (Stats. 2000, ch. 123) (Briggs)

- Effective January 1, 2001, provides that persons certified as trainers for training courses related to renewals of licenses to carry concealable handguns are exempt from the requirement to complete a specified training course for the purpose of renewing a license to carry a concealed firearm. (PC § 12050)

AB 1717 (Stats. 2000, ch. 271) (Hertzberg)

- Requires the Attorney General to conduct a study to evaluate ballistic identification systems to determine if a statewide ballistic identification system for firearms sold in this state is feasible and to determine if such a system would benefit law enforcement. The Attorney General must report the results to the Legislature no later than June 1, 2001. (PC § 12072.5)

AB 2053 (Stats. 2000, ch. 275) (Wesson)

- Effective January 1, 2001, prohibits the sale, purchase, shipping, transportation, distribution, etc., of imitation or toy firearms for commercial purposes unless the coloration of the entire exterior surface is bright orange or bright green, either singly or in combination. The blaze orange barrel plug by itself no longer satisfies the California requirements. Each violation is punishable by a civil fine of up to ten thousand dollars (\$10,000). Certain nonfiring replicas of antiques, BB, pellet, and spot marker guns are exempt. Also provides that any person who purchases, manufactures, ships, transports, distributes, or receives an actual firearm where the coloration of the entire exterior surface of the firearm is entirely or predominantly bright orange or bright green, either singly or in combination, is liable for a civil fine of not more than ten thousand dollars (\$10,000) in an action brought by the city attorney or district attorney. (PC §§ 417.3, 12020.3)

AB 2351 (Stats. 2000, ch. 967) (Zettel)

- Effective January 1, 2001, provides exemptions to handgun safety testing requirements and assault weapon restrictions for certain pistols that are used in official Olympic-style international shooting competitions, as specified. (PC §§ 12132, 12276.1)

Policy Change Regarding State Exemptions for Authorized Federal Peace Officers

- Subsequent to contacts regarding this issue, the California Department of Justice (DOJ) has completed a review of federal laws which authorize federal peace officers to carry and use firearms in the course of their duties. Additionally, the California DOJ has conferred with various federal agencies regarding their policies related to peace officers and duty weapons. Recognizing that federal laws have jurisdiction over state statutes

when both affect the same area of government, the California DOJ is implementing the following policy change relative to duty weapon and large capacity magazine purchases by federal peace officers.

- Effective immediately, federal peace officers whose agencies have congressional authority to carry and use firearms may with a letter signed by the head of their agency or the agency head's designee purchase duty weapons and/or large capacity magazines and be afforded the same exemptions that apply to California peace officers. The federal agency letter authorizing the purchase of a duty weapon must specify the firearm make and model that the officer is authorized to purchase. Consequently, federal peace officers who meet the above criteria may now purchase firearms from California firearms dealers and be exempted from the state mandated ten day waiting period. Additionally, these same individuals may now also purchase large capacity magazines provided they have agency authorization. **Please note that although state and federal peace officers are exempt from the DROS waiting period, they are not exempt from the DROS paper work requirements.**

Sincerely,



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Firearms Division

For BILL LOCKYER
Attorney General