

LEGISLATIVE COUNSEL'S DIGEST

AB 1621 Firearms: Unserialized Firearms.

(AB 452 Other Side)

(1) Existing law defines a firearm precursor part as a component of a firearm that is necessary to build or assemble a firearm and is either an unfinished handgun frame or a specified unfinished receiver, receiver tube, or receiver flat. Under existing law, commencing July 1, 2022, a firearm precursor part is required to be sold through a licensed firearm precursor part vendor, as specified.

This bill would redefine a firearm precursor part as any forging, casting, printing, extrusion, machined body or similar article that has reached a stage in manufacture where it may readily be completed, assembled or converted to be used as the frame or receiver of a functional firearm, or that is marketed or sold to the public to become or be used as the frame or receiver of a functional firearm once completed, assembled or converted. This bill would extend the definition of a firearm to include a firearm precursor part for the purposes of most criminal and regulatory provisions related to the possession, sale, and transfer of a firearm, including provisions which do not apply to a frame or receiver under existing law. The bill would repeal provisions relating to the sale of firearm precursor parts through a licensed precursor part vendor, and would prohibit the sale, transfer, or possession of an unserialized firearm precursor part, except as specified.

(2) Existing law requires a person that is manufacturing a firearm or assembling a firearm from unserialized components, to apply to the Department of Justice for a unique mark of identification and to affix that mark to the firearm, as specified.

This bill would repeal those provisions and instead prohibit a person from manufacturing or assembling an unserialized firearm. The bill would require any person in possession of an unserialized firearm to apply to the department for a unique mark of identification and to affix that mark to the firearm before July 1, 2023. The bill would explicitly prohibit the possession or transfer of a firearm without a serial number or mark of identification. The bill would authorize a new resident of the state to, within 60 days after arrival in the state, request a unique mark or identification for any unserialized firearm that is otherwise valid to possess in the state. The bill would also prohibit the possession, sale, or transfer of specified firearms manufacturing equipment, with exceptions for specified entities, including the Armed Forces of the United States, the National Guard, and law enforcement, as specified. The bill would declare its provisions to be severable.

(3) *This bill would authorize the Department of Justice to adopt emergency regulations to carry out its provisions. The bill would make other conforming, technical, and nonsubstantive changes. By creating new crimes expanding the application of numerous crimes, this bill would impose a state-mandated local program.*

Existing

(4) Existing law prohibits possession of a firearm without a serial number. Existing law prohibits possession of a firearm that has had the serial number altered, removed, or obliterated. Existing law defines a firearm to include the frame or receiver.

Existing law requires any person in the business of manufacturing firearms, as specified, to be licensed. Existing law requires a person, other than a manufacturer, who assembles a firearm to apply to the Department of Justice for a serial number and to affix that number to the firearm, as specified.

~~This bill would make certain findings and declarations and would express the intent of the Legislature to enact legislation~~ relating to unserialized firearms.

(5) *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.

LEGISLATIVE COUNSEL'S DIGEST

AB 452, Pupil Safety: Parental Notification: Firearm Safety Laws.

(AB 1621 Other Side)

The Interagency School Safety Demonstration Act of 1985 requires school districts and county offices of education to be responsible for the overall development of all comprehensive school safety plans for their schools operating kindergarten or any of grades 1 to 12, inclusive.

Existing law requires the governing board of a school district, at the beginning of the first semester or quarter of the regular school term, to notify parents or guardians of minor pupils of specified rights and responsibilities of the parent or guardian and of specified school district policies and procedures.

This bill would require a school district, county office of education, and charter school to inform parents and guardians of pupils at the beginning of each semester or quarter of the regular school term of California's child access prevention laws and laws relating to the safe storage of firearms, as specified. By imposing additional duties on school districts, county offices of education, and charter schools, the bill would impose a state-mandated local program. The bill would require the State Department of Education, on or before July 1, 2023, to develop, and subsequently update as provided, in consultation with the Department of Justice, and provide to school districts, county offices of education, and charter schools, and, upon request, to provide to private schools, concise content for the notice regarding those child access prevention and safe storage of firearms laws. The bill would make a school district, county office of education, charter school, private school, and the department immune from civil liability for any damages relating to that content.

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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.