### AMENDED IN ASSEMBLY APRIL 10, 2013

CALIFORNIA LEGISLATURE-2013-14 REGULAR SESSION

# ASSEMBLY BILL

## No. 1020

### Introduced by Assembly Member Bonta

February 22, 2013

An act to add Section 29310 to the Penal Code, relating to firearms.

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1020, as amended, Bonta. Firearms: letter to purchasers.

Existing law prohibits a firearm from being delivered within 10 days of the application to purchase, or, after notice by the Department of Justice, within 10 days of the submission to the department of any correction to the application, or within 10 days of the submission to the department of a required fee, whichever is later.

Existing law requires the Department of Justice to develop a pamphlet that summarizes California firearms laws, and to offer copies of the pamphlet to firearms dealers for sale to retail purchasers or transferees of firearms.

This bill would require the Attorney General to send a letter during the 10-day waiting period to each individual who has applied to purchase a firearm informing him or her of firearms laws relating to *firearms*, gun trafficking, and safe storage, as provided.

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. Section 29310 is added to the Penal Code, to 2 read:

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1 29310. During the 10-day waiting period following an 2 application to purchase a firearm required pursuant to Sections

3 27540 and 26815, the Attorney General shall send a letter to each

4 individual who has applied to purchase a firearm, informing him

5 or her of firearms laws relating to gun trafficking and safe storage, 6 including the following:

6 including the following:

7 29310. (a) Within 10 days of submission of any application 8 to purchase a firearm, as defined in Section 16190, the Attorney

9 General shall send a notice to the individual who made the

10 application, informing him or her of laws relating to firearms, gun

11 trafficking, and safe storage.

12 (b) The notice shall include all of the following:

13 <del>(a) That</del>

(1) California law *generally* requires that all firearms transfers
be conducted through licensed dealers as provided in Section
27545.

17 (2) Any exceptions to the requirement that firearms transfers18 be conducted through a dealer have strict limits.

19 (3) California law has strict limits on the loaning of firearms,

20 and on the conditions and circumstances under which a firearm

21 may be loaned to another person.

22 (b) That

(4) California law prohibits any person, corporation, or dealer
 from selling, loaning, or transferring a firearm to anyone who is
 not the actual purchaser or transferee of the firearm as provided

26 in Section 27515.

27 (c) That storage

28 (5) Storage of a firearm where children are likely to gain access

is a criminal offense as provided in Sections 25100 and 25110 ifthe child obtains access and thereby causes death or injury.

31 (6) It is a felony under both state and federal law, punishable

by imprisonment in state or federal prison, to acquire a firearm

32 by imprisonment in state of federal prison, to acquire a frearm33 for another person who is prohibited by law from purchasing the

35 Jor anomer person who is promoted by law from purchasing the 34 firearm himself or herself. These transactions are sometimes known

35 as a "straw purchase" or "straw acquisition."

36 (7) Cases in which a firearm is found in the possession of a

37 person other than the registered owner are fully investigated, and

38 in cases where violations are discovered, they are prosecuted to

39 *the fullest extent of the law by both state and federal authorities.* 

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- 1 (c) The notice shall also contain information about how to obtain
- 2 additional information from the Department of Justice, including
- 3 the department's Internet Web site.

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