AMENDED IN ASSEMBLY APRIL 25, 2013 AMENDED IN ASSEMBLY APRIL 10, 2013

CALIFORNIA LEGISLATURE—2013-14 REGULAR SESSION

ASSEMBLY BILL

No. 1020

Introduced by Assembly Member Bonta (Coauthor: Assembly Member Skinner)

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 *notice* to purchasers. 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 notice to each individual who has applied to purchase a firearm informing him or her of laws relating to firearms, gun trafficking, and safe storage, as provided. The bill would require the notice to include a link to a page on the Department of Justice's Internet Web site containing a summary of state firearm laws, which the bill would require the department to prepare and annually update.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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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:

- 29310. (a) Within 10 days of submission of any application to purchase a firearm, as defined in Section 16190, the Attorney General shall send a notice to the individual who made the application, informing him or her of laws relating to firearms, gun trafficking, and safe storage.
 - (b) The notice shall include all of the following:
 - (1) California law generally requires that all firearms transfers be conducted through licensed dealers as provided in Section 27545.
 - (2) Any exceptions to the requirement that firearms transfers be conducted through a dealer have strict limits.
 - (3) California law has strict limits on the loaning of firearms, and on the conditions and circumstances under which a firearm may be loaned to another person.
 - (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 in Section 27515.
 - (5) Storage of a firearm where children are likely to gain access is a criminal offense as provided in Sections 25100 and 25110 if the child obtains access and thereby causes death or injury.
 - (6) It is a felony under both state and federal law, punishable by imprisonment in state or federal prison, to acquire a firearm for another person who is prohibited by law from purchasing the firearm himself or herself. These transactions are sometimes known as a "straw purchase" or "straw acquisition."
 - (7) Cases in which a firearm is found in the possession of a person other than the registered owner are fully investigated, and in cases where violations are discovered, they are prosecuted to the fullest extent of the law by both state and federal authorities.
 - (c) The notice shall also contain information about how to obtain additional information from the Department of Justice, including the department's Internet Web site.
- 36 (d) The notice shall also include a link to a page on the 37 Department of Justice's Internet Web site containing a summary

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- 1 of state firearm laws, which the department shall prepare and 2 annually update.