



**Date:** July 23, 2013  
**To:** Honorable Mayor and City Council  
**From:** Councilmember Patrick O'Donnell, Chair, State Legislation Committee  
**Subject:** **GUN CONTROL BILLS**

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The State Legislation Committee, at its meeting held Tuesday, May 7, 2013, considered communications relative to the above subject.

It is the recommendation of the State Legislation Committee to the City Council to amend the 2013 State Legislative Agenda to include language that supports strengthening gun control legislation; and support SB 374 (Steinberg), SB 396 (Hancock), SB 47 (Yee), SB 755 (Wolk) and SB 567 (Jackson) in the 2013 State Legislative Session.

Respectfully submitted,

STATE LEGISLATION COMMITTEE

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Councilmember Patrick O'Donnell, Chair

Attachments

Prepared by:  
Carolyn Hill



**Date:** July 23, 2013

**To:** Honorable Mayor and City Council

**From:** Councilmember Patrick O'Donnell, Chair of the State Legislation Committee 

**Subject:** State Legislation Committee: Gun Control Bills

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On May 7, 2013, the State Legislative Committee voted to add language pertaining to gun control to the 2013 State Legislative Agenda. The Committee also considered five current gun control bills on which to take a legislative position of support. A memo from Councilmember Austin to the State Legislative Committee on gun control is attached for your information.

As a result of the Committee's actions, the following language is proposed for the 2013 State Legislative Agenda:

**COMMUNITY SAFETY**

Item B: Public Safety and Crime Prevention

*"Support legislation that would strengthen gun control laws and stem the flow of guns to the drug trade, criminal gangs and potential terrorists by reducing the number of assault weapons in California, banning large capacity magazines, promoting gun safety, enabling ammunition tracking and ensuring that prohibited possessors cannot own guns."*

A summary of each bill on which the Committee recommends a position of "support" is below:

- SB 374 (Steinberg) would prohibit the future sale, purchase, manufacture, importation or transfer in California of semi-automatic rifles that can accept detachable magazines. Specifically, this bill amends the current definition of illegal "assault weapon" to include a semiautomatic, rimfire or centerfire rifle that does not have a fix magazine with the capacity to accept ten or fewer rounds
- SB 396 (Hancock) would ban all large capacity ammunition magazines as of July 1, 2014. This bill defines "large capacity magazine" as an ammunition feeding device that can holding more than 10 rounds.
- SB 47 (Yee) would define "fixed magazine" in statute, and revise the definition of "assault weapon" to refer to firearm that has one of several specified military-style features and not have a "fixed magazine," rather than a firearm that has one of those features and "the capacity to accept a "detachable magazine."

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- SB 755 (Wolk) would add to the list of persons prohibited from purchasing firearms for 10-years, those ordered by a court to receive assisted outpatient treatment for mental illness, or convicted of either: (1) two or more drug or alcohol offenses in a three-year period; (2) taking a firearm from a peace officer; (3) threatening an officer; or (4) one or more of several gang related offenses.
- SB 567 (Jackson) would amend the definition of "shotgun" to delete language stating that to be considered a shotgun, the weapon must be "intended to be fired from the shoulder".

**Recommendation: Respectfully request the City Council to amend the 2013 State Legislative Agenda to include language that supports strengthening gun control legislation; and support SB 374 (Steinberg), SB 396 (Hancock), SB 47 (Yee), SB 755 (Wolk) and SB 567 (Jackson) in the 2013 State Legislative Session.**



**AL AUSTIN**  
COUNCILMEMBER, EIGHTH DISTRICT  
CITY OF LONG BEACH

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May 7, 2013

TO: State Legislation Committee

FROM: Councilmember Al Austin, Eighth District *al*

RE: Request the State Legislation Committee to Recommend to the City Council to Support the Following Legislation:

**SB 374 (Steinberg) Firearms: Assault weapons**

Status: Passed Senate Public Safety, In Senate Appropriations Committee

SB 374 would tighten California's regulation of "assault weapons," as follows:

Amends the definition of a rifle considered an assault weapon to specify "a semiautomatic, rimfire or centerfire rifle that does not have a fixed magazine with the capacity to accept 10 rounds or fewer, or a semiautomatic, centerfire rifle that has an overall length of less than 30 inches.

Defines a "fixed magazine" as "an ammunition feeding device contained in, or permanently attached to, a firearm in such a manner that the device cannot be removed without disassembly of the firearm action.

Defines a "detachable magazine" as "an ammunition feeding device that can be removed readily from the firearm without disassembly of the firearm action.

Requires that a person who, between January 1, 2001, and prior to January 1, 2014, lawfully possessed an assault weapon that does not have a fixed magazine, as defined, including those weapons with an ammunition feeding device that can be removed readily from the firearm with the use of a tool, register the firearm by July 1, 2014, with the DOJ as specified.

Enacts provisions for a Firearm Ownership Record program, as specified.

**SB 396 (Hancock) Firearms: Magazine capacity**

Status: Passed Senate Public Safety, In Senate Appropriations Committee

SB 396 would prohibit, beginning July 1, 2014, the possession of any ammunition magazine that is capable of holding more than 10 rounds of ammunition, except as specified.

Amend the definition of "large-capacity magazine" to include a feeding device that had a capacity of more than 10 rounds but has been permanently modified to hold no more than 10 rounds of ammunition.

Require that any person who, prior to July 1, 2014, legally possesses a large-capacity magazine, as defined, dispose of that magazine by various means, as specified.

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District Office: 5641 Atlantic Avenue, Long Beach, CA 90805  
district8@longbeach.gov

### **SB 47 (Yee) Firearms: Assault weapons**

City currently has Watch position

Status: Passed Senate Public Safety, In Senate Appropriations Committee

SB 47 would update California's regulation of "assault weapons," as follows:

Amends the definition of assault weapon to refer to a firearm that has one of several specified military-style features and does not have a "fixed magazine" rather than a firearm that has one of those features and "has the capacity to accept a detachable magazine".

Defines "fixed magazine" as "an ammunition feeding device contained in, or permanently attached to, a firearm in such a manner that the device cannot be removed without disassembly of the firearm action.

Requires that any person who from January 1, 2001, to December 31, 2013, lawfully possessed an assault weapon that does not have a fixed magazine, as defined, register the firearm via online submission before July 1, 2014, with the Department of Justice (DOJ), as specified.

Authorizes DOJ to charge a fee of up to \$15 per person but not to exceed the reasonable processing costs for this registration.

### **SB 755 (Wolk) Firearms: prohibited persons.**

Status: Passed Senate Public Safety, In Senate Appropriations Committee

SB 755 would add specified offenses to the list of misdemeanors that result in a 10-year prohibition from firearms possession.

Provide that a violation of two or more specified misdemeanors related to substance abuse result in a 10-year prohibition from firearms possession.

Provide that persons ordered into outpatient treatment due to mental illness, as specified, are prohibited from possessing firearms while subject to assisted outpatient treatment.

Require the court to notify the Department of Justice (DOJ) of persons subject to the prohibitions, as specified.

### **SB 567 (Jackson) Firearms: Shotguns**

Status: Passed Senate Public Safety, In Senate Appropriations Committee

SB 567 would amend the definition of "shotgun" to delete language stating that to be considered a shotgun, the weapon must be "intended to be fired from the shoulder," and add language to state that a shotgun may include a weapon with a rifled bore as well as a smooth bore.

Require that any person who from January 1, 2001, to December 31, 2013, lawfully possessed a shotgun with a revolving cylinder, as defined, register the firearm via online submission before July 1, 2014, with the Department of Justice (DOJ), as specified.

Authorize the DOJ to charge a fee of up to \$20 per person but not to exceed the reasonable processing costs for this registration.