

NATIONAL RIFLE ASSOCIATION OF AMERICA

CALIFORNIA REPORT

THE FIGHT IN CALIFORNIA CONTINUES

In 2003, the anti-gun politicians targeted your gun rights with every scheme you could imagine. Due to the efforts of California NRA members and sportsmen, they have failed! Your NRA is continuing to organize our members to take the fight to state & local politicians in the halls of the legislature, city halls and the courtroom.

News from the Legislative Front in Sacramento

For the first time in years, pro-gun bills have been voted out of the California Legislature and signed by the Governor.

SB255 (Ducheny - Dem) This landmark, "First in the Nation," background check law was signed by then Governor Gray Davis. The provisions of SB255 will allow persons to pay \$20.00 and undergo a State and Federal background check to determine their legal status for purchasing firearms without risking the violation of State and Federal laws in the process. Senate Bill 255 is long overdue and allows a person to comply with State and Federal laws without becoming a victim of inaccurate government records or bureaucracy.

AB1044 (Negrete-Mcleod - Dem) CCW Applicant Privacy Protection - Several years ago, California law was changed to require the state Attorney General to maintain a centralized Department of Justice database of local CCW application data. Assembly Bill 1044 repeals this requirement, prevents the state from maintaining that information, and affords other protections in local CCW forms and procedures. This bill would require the California Department of Justice to destroy any centralized database of information or records of CCW permit holders or applicants.

AB396 (Harman - Rep) Shared Habitat Alliance for Recreational Enhancement Program - Will authorize the California Department of Fish and Game to work in partnership with nonprofit conservation groups and other interested non-governmental organizations to encourage private landowners to voluntarily make their land available to the public for wildlife-dependent recreational activities.

SB238 (Perata - Dem) will lower the penalty for the simple possession of an unregistered firearm classified as a "Roberti-Roos Assault-Weapon" to a simple infraction (ticket) and not endanger your gun rights.

AB1455 (Negrete-Mcleod - Dem) Airguns - declares that BB and pellet guns, that shoot ceramic or plastic objects, are not toys. Existing law requires that toy guns be either bright orange or green.

In addition to passing new laws to protect your Second Amendment Rights, most of the proposed anti-gun bills were defeated.

AB 992 (Riddley-Thomas - Dem) would have established higher taxes for gun owners and sportsmen with a 10-cent tax on every complete cartridge, as well as primers. This could have added up to a 60-cent tax on one round! THIS IS THE SECOND YEAR THAT THIS PROPOSAL HAS BEEN DEFEATED!

AB50 (Koretz - Dem) would have banned sale or possession of rifles that are chambered for the .50 BMG cartridge. THIS IS THE SECOND YEAR THAT THIS PROPOSAL HAS BEEN DEFEATED!

SB601 (Perata - Dem) would have to banned the sale and possession of ALL .50 caliber handguns purchased after January 1, 2004.

SB35 (Scott - Dem) This bill would have required all manufactures/importers to submit "Ballistic" samples of all firearms imported in California to the California Department of Justice to create a Ballistic information database creating a new firearms registration scheme

AB1190 (Nation - Dem) This bill would have banned the hunting of Western Mourning doves and White - Winged Doves.

AB342 (Koretz - Dem) This bill would have restricted a person from allowing a dog to take any mammal for hunting purposes or from training a dog for that purposes.

See www.NRAMembersCouncils.com for more information about firearms issues in California

The only anti-gun legislation that passed and was signed into law was:

SB489 (Scott – Dem) Semi-Auto Handgun Bill - requires all newly-designed semiautomatic handguns submitted to CA DOJ “safety” testing after January 2006 be equipped with a loaded chamber indicator and/or a magazine disconnect mechanism. SB489 was massively amended to achieve passage - the author had to agree to serious limitations on the bill's implementation and effect. While originally targeting all semi-automatic handguns manufactured after 2005, SB489 was amended to affect only newly-designed semi-automatic handguns. **All existing semi-automatic handgun designs, as well as new designs which are submitted to CA DOJ safety testing before 2006, are now exempt from SB489.**

You can be sure that the anti-gun politicians in Sacramento may try to revive the legislation that was defeated in 2003. That is why it is critical that you call your state representatives and voice your continued opposition.

News from the Legal Front: Beyond our efforts at the State Capitol to protect your Second Amendment Rights, your NRA has financially supported and aggressively pursued legal actions in California to repeal laws both at the state and local level.

CALIFORNIA LITIGATION

Hunt v. Lockyer: challenges the 1999 amendments to the state's "assault weapon" law that bans firearms based on their cosmetic features. This is NRA's second legal challenge to California's "assault weapon" law.

Silveira v. Lockyer: also challenges the 1999 amendments to the state's "assault weapon" law. This case was not filed by the NRA, and is not the best legal vehicle for litigating the Second Amendment in the United States Supreme Court. NRA filed a "friend of the court" amicus brief supporting the case in the Supreme Court so there would be no question that competent NRA attorneys will be involved at that level, if the Court decides to accept and review the case.

Nordyke v. Counties of Alameda, Marin, San Mateo, and Sonoma: involve a gun show promoter's challenge to various county ordinances banning gun shows. They raise both First and Second Amendment issues. NRA's attorneys, has heavily supported these cases since they were filed several years ago.

Range Protection/Triple B Sporting Clays v. County of Los Angeles: NRA attorneys are assisting this shooting park's corporate lawyers with a new challenge to LA County's gun show ban ordinance. NRA is also involved in lawsuits to protect several California shooting ranges, which are under attack in California, usually on environmental, noise, or zoning grounds.

NRA v. San Francisco and NRA v. City of Los Angeles: These cases challenge the San Francisco and Los Angeles local "assault weapon" ordinances, which are much broader than the state "assault weapon" law, condemning far more firearms and banning their possession altogether. In response to these suits, the cities repealed the ordinances!

LOCAL ORDINANCES

Repeal of "Saturday Night Special" bans and "Trigger lock" ordinances: In response to demands from NRA attorneys, approximately 40 cities have repealed local ordinances that banned the sale of affordable self defense handguns (which included many polymer framed handguns carried by police departments that were inappropriately categorized as "junk" guns or required unsafe "trigger locks" to be sold with every gun. Eight cities still carry one or both of the laws, and lawsuits are pending against those holdouts.

Fighting Against .50 Caliber Bans and Other Local Gun or Ammo Ban Proposals: After the notoriously anti-gun-owner city of Los Angeles banned the sale of .50 caliber firearms, the gun ban lobby sought to have Los Angeles County, Contra Costa County, and other cities follow suit. NRA staff, attorneys, and volunteers are actively fighting these proposals, and have already convinced several cities to abandon the idea.

Dealer Protection Programs: Attacks on gun dealers in California include frivolous municipal lawsuits that attempt to blame dealers for criminals that misuse firearms, hyper technical harassment by federal, state and local regulatory agencies, and zoning restrictions that effectively put dealers out of business.

Uncovering Problems in the Issuance of Concealed Firearm Permits: NRA attorneys are studying public records to determine the policies and problems encountered in the CCW application process in some jurisdictions. Lawsuits are inevitable.