



GUN OWNERS of California

NEW LAWS

By Sam Paredes, Executive Director

There's no other way to put it: 2016 was not good for the gun owning citizens of California. Irrationality ruled the year and the following is a run-down of the new laws and how we must comply with changes in 2nd Amendment-related policies for 2017 and beyond.

Ammunition Registration – this is the most complex as the Department of Justice is still deep in the process of developing regulations and meshing the language of Proposition 63 and legislation signed by the Governor last year. Unless otherwise noted, the effective date is January 1, 2017.

- Ammunition will only be sold to a person listed in the Automated Firearms System (this is the “background check”).
- An ammunition sales process must be established (deadline for completion of these regulations is January 1, 2018).
- The definition of ammo includes all ammunition, rifle, handgun and shotgun.
- The Department of Justice (DOJ) must maintain registration lists of buyers and sellers; beginning January 1, 2018, only a licensed ammunition vendor may sell ammunition.
- Transactions of any ammunition, commencing on July 1, 2019, require the ammunition vendor to submit that information to the DOJ

- The DOJ will now utilize the Armed Prohibited Persons File to cross-reference those who attempt to acquire ammunition.
- Ammunition vendors must be licensed (January 1, 2018).
- Internet sales are prohibited (January 1, 2018).
- How ammunition is displayed will be limited (effective date is unknown)
- “Purchase Permits” will be required to buy all ammunition (this is one of the more relevant contradictions between the language of the initiative and legislation; January 1, 2019).
- Establishes a crime for a person to provide ammunition to an individual they know or should know is not the actual purchaser; no exceptions or exemptions.
- A resident bringing ammunition into the state must have it delivered to an ammunition dealer (January 1, 2018).
- Requires the DOJ to retain data for 2 years in an “Ammunition Purchase Records File.”
- Local regulation of ammunition will not be preempted.

“ASSAULT” WEAPONS

An “assault weapon” is now defined as any semiautomatic centerfire rifle that **DOES NOT** have a fixed magazine, and **DOES** have one (or more) of these attributes: a pistol grip that protrudes conspicuously beneath the action of the weapon, thumbhole stock, folding/telescoping stock, grenade/flare launcher,

flash suppressor, OR a forward pistol grip. Any Californian that possessed one of these firearms within the time period of **January 1, 2001 to December 31, 2016** must register that weapon as a California assault weapon with the Department of Justice by **January 1, 2018**. Bullet Buttons no longer make guns California Compliant. (We will be publishing information on new devices and procedures that will allow Bullet Button gun owners to modify their firearms to make them CA Compliant and therefore NOT CA Assault Weapons.)

PERSONAL FIREARMS/ SERIAL NUMBERS

Individuals are now required to obtain a DOJ generated **serial number** before the legal manufacture of a personal firearm. Personally manufactured firearms (80%ers) will be required to apply for a serial number from the DOJ even if you have already applied a personal serial number to the gun. There will also be regulations as to who and/or how serial numbers are to be applied to personal guns.

LOANING OF FIREARMS

The loaning of a firearm to a spouse/domestic partner, parent, child, grandparent, or grandchild cannot be longer than 30 days and the individual being loaned the gun must have a valid firearm safety certificate (FSC).

REPORTING OF LOST/STOLEN GUNS

Any person who knowingly makes a false report of a lost or stolen firearm

OVER PLEASE . . .

NEW LAWS...CONTINUED

to law enforcement is guilty of a misdemeanor; such a misdemeanor conviction can prohibit one from owning a firearm for **ten years**.

"HIGH" (traditional with standard) CAPACITY MAGAZINES

It is now illegal to possess "large-capacity" magazines that hold more than 10 rounds; all such magazines must be removed from the state, sold to a licensed dealer, destroyed, or surrendered to law enforcement by **July 1, 2017**. Anyone still in possession on or after **July 1, 2017** will be charged with an infraction punishable by a fine, with increasing penalties on each subsequent offense.

ANSWERING COMMON OBJECTIONS TO CONCEALED CARRY RECIPROCITY

by Erich Pratt, Executive Director -
Gun Owners of America

(Editor's Note: The following is a condensed version of an article that can be found in its full on the Gun Owners of America website – www.gunowners.org. Although the name of the act refers to Reciprocity, in practice it should more accurately be called Recognition.)

The Concealed Carry Reciprocity Act of 2017 -- introduced by North Carolina Republican Richard Hudson is the best concealed carry reciprocity bill ever introduced in Congress, but there are some who are not convinced that H.R. 38 is beneficial. Here are answers to the most common arguments:

Objection: Reciprocity legislation will become a vehicle for anti-gun amendments.

Answer: The federal government has not hesitated to impose national limits on firearms ownership, and many of

these laws were much more extensive than any idea which could flow out of the Hudson bill (H.R. 38). And, they will not lack the ingenuity and the will to do the same again, whenever they are capable of doing so. The fact that we cripple ourselves by refusing to protect Second Amendment rights will be completely irrelevant to their ability or will to attempt restricting them.

On the other hand, demoralizing the anti-gunners by achieving a victory on the Hudson bill will damage the ability of the anti-gun Left to move against us in the future. Gun Owners of America has shown in the past that we can get legislation passed without weakening amendments being tacked on by the Schumers in Congress.

Objection: Federal reciprocity is the antithesis to federalism.

Answer: Not true.

The Tenth Amendment states, in part, that the "powers NOT DELEGATED to the states ... are reserved to the states respectively, or to the people." (Emphasis added.)

So the key is this: If the powers are delegated to the federal government through the Constitution, then in those limited areas, the states have voluntarily given up limited sovereignty. This happened with the 14th Amendment.

Justice Samuel Alito, one of the most pro-gun judges to ever sit on the Supreme Court, authored the decision in McDonald v. Chicago (2010). In this case, the Court argued that the 14th Amendment incorporates the Second Amendment, thus preventing states from infringing the right to keep and bear arms of citizens.

Objection: The Second Amendment is the only permit we need.

Answer: It is true that the Second Amendment should invalidate EVERY single gun control law that penalizes honest citizens. The problem is, if you

try to use the Second Amendment as your "permit" to carry in most states, you'll be arguing your case in jail, and that's why GOA so strongly supports Constitutional Carry laws -- such as those which now exist in twelve states. Law-abiding citizens in these states are now carrying their firearms concealed WITHOUT PERMITS AND WITHOUT ANY FEAR of going to jail.

Therefore, we should not shrink back from attempting to enact good laws that will further safeguard people's rights.

Objection: Reciprocity legislation will create a national carry permit.

Answer: No, no, no! There is nothing in H.R. 38 that would do this.

In fact, there is NOTHING in any bill that Gun Owners of America has ever supported that would come close to creating a national concealed carry permit. Not only is that a state prerogative, giving the federal government the power to issue a national permit would grant a future Obama-styled administration the power to regulate it into obscurity.

Gun Owners of America even OPPOSED reciprocity legislation in the past -- H.R. 197 by Rep. Cliff Stearns in 2009 -- which would have imposed "national standards" concerning where you could or couldn't carry a firearm, even with a concealed carry permit. After pressure from GOA and its activists, those "national standards" were sent to the junkyard and excluded from future reciprocity bills.

Some might argue that H.R. 38 will be hijacked and turned into a national carry permit. But in saying this, they have conceded that H.R. 38 does NOT create a national permit. It is incumbent on those who claim that H.R. 38 would allow for a national permit to specifically

ANSWERING COMMON OBJECTIONS...CONT.

show what language in the bill would do this. It simply doesn't.

As stated above, the fact that we cripple ourselves by refusing to protect Second Amendment rights will be completely irrelevant to their attempting to restrict those rights.

(See also the above objection answered: "Reciprocity legislation will become a vehicle for anti-gun amendments.")

Objection: This bill doesn't help residents of anti-gun states.

Answer: Gun owners who live in anti-gun states -- like California, Illinois, New Jersey, New York, etc. -- want to know if H.R. 38 will benefit them in any way. In short, the answer is "Yes."

The reason is that reciprocity is granted to any law-abiding gun owner who lives in a Constitutional Carry state OR who possesses a concealed carry permit from ANY state. For those of you who live in "occupied" states, you would benefit from H.R. 38 if you fulfill three requirements:

- (1) *You are not barred by federal law,*
- (2) *You possess a picture ID, and*
- (3) *You have obtained license to carry from "a state".*

Note the operative word "a" in point #3. This grammatical construction means that if you have a permit/license from ANY state, not just your state of residence, you benefit from the reciprocity provisions in the bill.

This is important because it means you could get a Florida or Utah permit to enjoy reciprocity -- anywhere around the country, and even in your own home state.

HASTE MAKES MORE THAN JUST WASTE: DOJ'S FLAWED REGULATION FIASCO

The California Department of Justice took full aim at the 2nd Amendment in the final days of 2016 when they hurriedly issued emergency regulations regarding the new laws on firearms magazines that hold more than 10 rounds.

It should come as no surprise when regulations that limit public input and are drummed up in haste would be fraught with problems. They were an awful mess -- what's more, there was no emergency that required the use of a "special" process which actually permitted the Department to *limit the public from weighing in on regulations*.

We know for a fact that gun owners throughout the state reacted swiftly and negatively -- there was a collective protest about the DOJ's heavy handedness, so on Thursday, December 29th, 2016, they pulled the regulations from consideration. *This means that all current and existing rules on magazines remain the same as they were before the passage of the legislation and the initiative.*

There is an exception, however, in that all legally owned and grandfathered magazines that hold more than 10 rounds will be illegal to possess unless converted to 10 rounders, taken out of state, turned in to law enforcement, sold to licensed dealers or destroyed. What happens from here is anybody's guess. To read the regulations that were pulled back, go to <https://oag.ca.gov/sites/all/files/agweb/pdfs/firearms/regs/lcmp-text-of-regs.pdf>

But there's more to the DOJ and their version of rule-making: on Friday December 30th, 2016, they took it upon themselves to EXPAND the definition of a California Assault Weapon by saying

that if you register your "Bullet Button" gun as California Assault Weapon, you will not be allowed to replace the bullet button with a standard magazine release button. GOC believes this falls far outside their legal authority and will not let this stand without a fight. See regulations here: <https://d3uw8jzpzww49g.cloudfront.net/sharedmedia/1509343/12-30-doj-proposed-assault-weapons-regulations.pdf>.

Gun Owners of California is working with our Second Amendment partners to launch an all-out effort to fight on every front. *We have already begun making the rounds at the Capitol and will confidently inform the legislators that their previous efforts to strangle the Second Amendment will be challenged in our state and nation's courts, and that we are ready to take any new anti-gun proposal all the way to the U.S. Supreme Court as well.* And, we plan on reminding them with a smile on our face that with the election of President Trump and his judicial nomination of Neil Gorsuch, **the new U.S. Supreme Court will support the Constitution and will be paying very positive attention to the importance of the Second Amendment.**

The fight will continue to be a three-pronged series of battles in the legislature, the courts and the elections.

Those who continue to oppose us in Sacramento will soon learn that their "absolute power" will not be enough to win the battle on the Second Amendment. The road will be a rough one (**remember -- it takes time and money to bring cases before the courts**) but we are confident there will be positive outcomes as long as we can count on support and resources from our members and friends.

Stay Armed and Informed with Gun Owners of California.

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**2017 GOC FUNDRAISING
EVENT CALENDAR**

Fundraising efforts for 2017 are already under way, with a full calendar of banquets and sporting clay shoots! Our 52 Gun Raffle sold out, once again, in record time, and we are grateful to everyone who has participated in one of our fundraisers. With every ticket sale for a raffle or event, we are better able to defend your rights at the Capitol, through the courts, and in the elections.

YUBA SUTTER

Yuba Sutter Fairgrounds
FRIDAY, APRIL 7

SACRAMENTO CRAB FEED

Citrus Heights Community Center
FRIDAY, APRIL 21

SPORTING CLAY SHOOT (IONE)

Camanche Hills Hunting Preserve
SATURDAY, JUNE 3

OROVILLE

Location TBD
Tentative FRIDAY, JUNE 16

VACAVILLE CRAB FEED

Ulatis Community Center
DATE TBD (Early Fall)

A WELCOME GOODBYE TO SENATOR HALL

Sam Paredes, Executive Director of Gun Owners delivered a nice box of Ivory Soap to Senator Isadore Hall after he declared in public testimony that GOC members were *“heartless, vicious and dirty with filthy mouths.”*

They defend “senseless acts of terror” and are “... heartless, vicious and dirty with filthy mouths.”

~ Senator Isadore Hall in public testimony regarding Gun Owners of California, Public Safety Committee, June 2016

We should say the last laugh is on him because he thankfully lost his bid for Congress and had to say adios to his influential job as a State Senator. Unfortunately, though, Governor Jerry Brown rewarded Hall with a pretty cushy gig (although certainly less prominent) to the California Agricultural Labor Relations Board where he will earn an annual salary of \$142,095. Rough life, that one.

TO: SENATOR H. L. RICHARDSON, (ret.)

YES! I want Gun Owners of California, Inc. to continue fighting for our 2nd Amendment rights. I understand the minimum donation of \$35.00 entitles me to full membership benefits.

\$100 \$75 \$50 \$35 Other \$ _____

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*Gun Owners of California
Membership Benefits*

- Regular newsletters informing members of pending legislation and issues affecting gun rights.
- Information alerts through our website, email.
- Voting records of all California Legislators.
- Access to all Legislators through our website.

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