

**REPORT OF THE
CHIEF LEGISLATIVE ANALYST**

DATE: June 11, 2013

TO: Honorable Members of the Rules, Elections and Intergovernmental Relations Committee

FROM: Gerry F. Miller *Gerry F. Miller For* Council File No: 13-0002-S81
Chief Legislative Analyst Assignment No: 13-05-0434

SUBJECT: Resolution (Parks - Perry) to support SB 53, legislation which would make it a requirement for an ammunition purchaser to have a permit to purchase ammunition, and require ammunition vendors to be licensed through the California Department of Justice

CLA RECOMMENDATION: Adopt Resolution (Parks- Perry) to include in the City's 2013 – 2014 State Legislative Program SUPPORT for SB 53 (De León) which would make it a requirement for ammunition purchasers to have a permit to purchase ammunition, and require ammunition vendors to be licensed through the California Department of Justice.

SUMMARY

On May 15, 2013, a Resolution (Parks - Perry) was introduced to support SB 53 (De León), legislation which would require individuals seeking to buy ammunition to have a license to do so, as well as require ammunition vendors to be licensed through the California Department of Justice (DOJ). The Resolution states that, while a background check is required for a firearm purchase in California, there is no such requirement enforced on ammunition purchases in the state. The Resolution further states that gun control cannot be truly effective without restrictions on ammunition sales.

The Resolution states that SB 53 would create an ammunition regulation process, where a person wishing to purchase ammunition would have to acquire an ammunition purchase permit. The Resolution states that these permits would be renewable every five years, and would only be issued to individuals who are allowed to own firearms in the state. The Resolution further states that SB 53 would require ammunition vendors to also be licensed. The Resolution, therefore, seeks an official position of the City of Los Angeles to support SB 53, which would make it a requirement for ammunition purchasers to have a permit to purchase ammunition, and require ammunition vendors to be licensed through the California Department of Justice.

BACKGROUND

While California has some of the most rigorous gun control measures in the United States, there are few restrictions enforced on ammunition sales. Under current law, a person is prohibited from owning or possessing ammunition if they are also prohibited from owning a firearm. The law also prohibits ammunition vendors from selling ammunition to individuals who are prohibited from possessing it. The state has previously passed legislation requiring vendors to keep records on handgun ammunition sales; however, the court has ruled this legislation is too

vague and enjoined its enforcement. These factors make it difficult to know who is allowed to own or possess ammunition.

To address this issue, SB 53 would institute a licensing program for vendors as well as purchasers of all types of ammunition. This program would create an ammunition purchase permit program, commencing January 1, 2017. Purchase permits would be issued by the DOJ to applicants who are not prohibited from possessing firearms or ammunition in California, and the permits would be good for five years. In order to obtain an ammunition purchase permit, an individual would have to submit to a background check. This will strictly limit the availability of ammunition to those not allowed to own firearms.

In addition to the ammunition purchase permit, SB 53 would also require ammunition vendors to be licensed by the DOJ to sell ammunition in California, beginning on January 1, 2014. These vendors would have to submit purchase records for all ammunition sales to the DOJ, which would then be required to determine if the ammunition purchaser was allowed to acquire ammunition in the state. This screening program will continue when the permit system comes into effect in 2017.

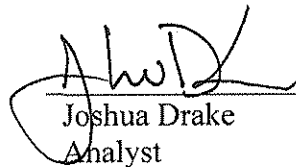
SB 53 is supported by the law enforcement community, which sees the bill as an effective way of curtailing access to ammunition by gang members and other criminals. The City of Los Angeles already requires ammunition vendors to provide sale information gathered during the sale of ammunition to the Police Department (LAPD). SB 53 would create a state-wide regulation process that would dovetail with City policy, which would enable LAPD to more effectively combat gun crime in the City and promote public safety.

DEPARTMENTS NOTIFIED

Police Department

BILL STATUS

12/20/2012	Bill introduced
05/24/2013	Passed in committee
05/29/2013	Passed in the Senate (23-15)
05/30/2013	In the Assembly


Joshua Drake
Analyst

GFM:MF:jwd

Attachment: Resolution (Parks - Perry)

MAY 15 2013

13-0002-S81

RESOLUTION

RULES, ELECTIONS & INTERGOVERNMENTAL AFFAIRS

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, California is a leader in gun control, but imposes very few restrictions on the sale of ammunition; and

WHEREAS, a background check is required for the purchase of a firearm in California, but no such requirement is currently enforced for ammunition purchases; and

WHEREAS, without effective control of ammunition sales, no gun control regime can be truly effective; and

WHEREAS, SB 53 (De León) would initiate controls on the sale of ammunition in California, by requiring purchasers of ammunition to have a permit issued by the state, renewable every five years; and

WHEREAS, ammunition permits created under SB 53 would only be issued to people authorized to own a firearm and purchase ammunition; and

WHEREAS, SB 53 would also require ammunition vendors to be licensed with the California Department of Justice; and

WHEREAS, the City of Los Angeles has supported ammunition regulation in the past, including permitting ammunition vendors and background checks on ammunition purchasers;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2013 - 2014 State Legislative Program SUPPORT for SB 53, which would make it a requirement for ammunition purchasers to have a license to purchase ammunition, and require ammunition vendors to be licensed through the California Department of Justice.

PRESENTED BY Bernard C. Parks
BERNARD C. PARKS
Councilmember, 8th District

SECONDED BY _____
[Signature]

Jwd

[Signature]
MAY 15 2013

RECEIVED
MAY 15 2013