

**REPORT OF THE
CHIEF LEGISLATIVE ANALYST**

DATE: August 1, 2018

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

FROM: Sharon M. Tso  Chief Legislative Analyst Council File No: 18-0002-S77
Assignment No: 18-06-0617

SUBJECT: Resolution (Krekorian – O’Farrell) in Support of SB 1346 (Jackson)

CLA RECOMMENDATION: Adopt Resolution (Krekorian – O’Farrell) to include in the City’s 2017 - 2018 State Legislative Program SUPPORT for SB 1346 (Jackson), which would clarify that the State’s definition of a multiburst trigger activator includes bump fire stock or bump fire attachments.

SUMMARY

On June 19, 2018, a Resolution (Krekorian – O’Farrell) was introduced in support of SB 1346, legislation which would clarify that current law includes bump fire stocks or bump fire attachments in the State’s definition of “multiburst trigger activator.” The Resolution states that a bump fire stock modifies a semiautomatic rifle in a way that enables a shooter to fire shots continuously as long as the rifle is kept against the shooter’s shoulder, and that these devices enable shooters to fire a semiautomatic rifle at a rate similar to fully-automatic rifle.

The Resolution states that a bump stock-equipped rifle was used to devastating effect in a mass shooting on October 1, 2017 in Las Vegas that killed 59 people and injured hundreds more, and that there is no legitimate reason for a person to possess these types of devices. The Resolution, therefore, seeks an official position of the City of Los Angeles to support SB 1346, which would clarify that the State’s definition of a multiburst trigger activator includes bump fire stocks or bump fire attachments.

BACKGROUND

Under current law, it is illegal to manufacture, import, sell, transfer or possess any multiburst trigger activator. A “multiburst trigger activator” is defined in current state law as either of the following:

- a. A device designed or redesigned to be attached to a semiautomatic firearm, which allows the firearm to discharge two or more shots in a burst by activating the device; or
- b. A manual or power-driven trigger activating device constructed and designed so that when attached to a semiautomatic firearm it increases the rate of fire of that firearm.

The possession, manufacture and sale of these types of devices is punishable either as a misdemeanor or a felony under California law.

A bump stock, or bump fire attachment is a device that replaces a rifle’s standard stock (the part of a rifle that rests against a shooter’s shoulder) with a stock that enables a shooter to fire

continuously as long as the shooter keeps the rifle against his or her shoulder. A shooter using a bump stock can fire a semiautomatic rifle almost as quickly as a fully-automatic rifle.

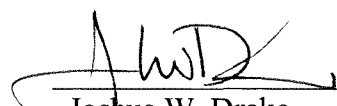
SB 1346 would clarify that bump stocks or bump fire attachments are considered multiburst trigger activators under State law. This legislation is supported by a number of local jurisdictions and law enforcement associations, including the Los Angeles County Board of Supervisors and the California State Sheriffs' Association. The Los Angeles Police Department states that it has charged individuals for the possession of bump stocks under existing law, but that prosecution of these cases requires detailed expert testimony regarding the design and function of these devices. The Department states that this bill would remove any existing ambiguity and/or uncertainty surrounding the legality of these devices for both law enforcement and the public.

DEPARTMENTS NOTIFIED

Police Department

BILL STATUS

02/16/2018	Bill introduced
03/01/2018	Referred to the Senate Committee on Public Safety
04/25/2018	From committee: do pass (5-2)
05/18/2018	Read third time. Passed. (26-8), ordered to the Assembly
05/03/2018	In Assembly. Read first time. Held at Desk
05/10/2018	Referred to the Assembly Committee on Public Safety
06/12/2018	From committee: do pass (6-0)
06/13/2018	Read second time. Ordered to third reading



Joshua W. Drake
Analyst

SMT:jwd

Attachments: (1) Resolution (Kreokian – O’Farrell)
(2) SB 1346 (Jackson)

RESOLUTION

RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS

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, multiburst trigger activators are devices designed to be attached to a semiautomatic firearm to enable the firearm to discharge two or more shots in a burst by activating the device; and

WHEREAS, bump fire stocks, a type of multiburst trigger activator, modify a semiautomatic rifle in a way that enables a shooter to fire shots continuously as long as the rifle is kept against the shooter's shoulder; and

WHEREAS, a shooter using a bump fire stock can fire rounds from a semiautomatic rifle at a rate similar to a fully automatic rifle; and

WHEREAS, a bump fire stock-equipped rifle was used to devastating effect in a mass shooting on October 1, 2017 in Las Vegas that killed 59 people and injured hundreds more; and

WHEREAS, there is no legitimate reason for a person to sell or possess these devices; and

WHEREAS, current State law prohibits the manufacture, import, sale, gifting, lending and possession of any multiburst trigger activator in the State of California; and

WHEREAS, while current law does include bump fire stocks in the multiburst trigger activator category, they are not specifically named in the law, which creates ambiguity; and

WHEREAS, SB 1346 (Jackson) would eliminate this ambiguity and clarify that the existing definition of a multiburst trigger activator includes bump fire stocks or bump fire attachment;

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 2017 - 2018 State Legislative Program SUPPORT for SB 1346 (Jackson), which would clarify that the State's definition of a multiburst trigger activator includes bump fire stocks or bump fire attachments.

PRESENTED BY:

Paul Krekorian

PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY:

Mark Daniel

JUN 19 2018

JUN 19 2018

jwd

AW

ORIGINAL

Introduced by Senator Jackson

February 16, 2018

An act to amend Section 16930 of the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

SB 1346, as introduced, Jackson. Firearms: multiburst trigger activators.

Existing law prohibits the manufacture, importation, sale, transfer, or possession of any multiburst trigger activator. Existing law defines a multiburst trigger activator as either a device designed or redesigned to be attached to a semiautomatic firearm, which allows the firearm to discharge two or more shots in a burst by activating the device, or a manual or power-driven trigger activating device constructed and designed so that when attached to a semiautomatic firearm it increases the rate of fire of that firearm.

This bill would state that the existing definition of a multiburst trigger activator includes a bump fire stock or bump fire stock attachment.

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

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 16930 of the Penal Code is amended to
- 2 read:
- 3 16930. (a) As used in this part, a "multiburst trigger activator"
- 4 means either of the following:
- 5 (a)

1 (1) A device designed or redesigned to be attached to a
2 semiautomatic firearm, which allows the firearm to discharge two
3 or more shots in a burst by activating the device.

4 ~~(b)~~

5 (2) A manual or power-driven trigger activating device
6 constructed and designed so that when attached to a semiautomatic
7 firearm it increases the rate of fire of that firearm.

8 (b) *“Multiburst trigger activator” includes, but is not limited*
9 *to, a bump fire stock or bump fire stock attachment.*