

**REPORT OF THE
CHIEF LEGISLATIVE ANALYST**

DATE: February 5, 2014

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

FROM: Gerry F. Miller *Gerry F. Miller for* Council File No: 14-0002-S12
Chief Legislative Analyst Assignment No: 14-01-0057

SUBJECT: Resolution (Koretz - Krekorian) to support SB 808, which would require that individuals who assemble or manufacture a firearm at home apply for and obtain a unique serial number for their weapon from the California Department of Justice

CLA RECOMMENDATION: Adopt Resolution (Koretz - Krekorian) to include in the City's 2013 – 2014 State Legislative Program SUPPORT for SB 808 (De León), which would require that individuals who assemble or manufacture a firearm at home apply for and obtain a unique serial number for their weapon from the California Department of Justice.

SUMMARY

On January 28, 2014, a Resolution (Koretz - Krekorian) was introduced in support of SB 808 (De León), legislation which would require that individuals who assemble or manufacture a firearm at home apply for and obtain a unique serial number for their weapon from the California Department of Justice (DOJ). The Resolution states that the spread and evolution of technology, including 3D printers, has made it easier to assemble unregistered weapons, including those that can be carried without setting off metal detectors. The Resolution also states that these unregistered weapons assembled or manufactured at home, known as "ghost guns," pose a threat to public safety, as evidenced by the June 2013 mass shooting at Santa Monica College. The Resolution states that the shooter in that incident used an unregistered, homemade assault weapon to gun down individuals on the college campus.

The Resolution states that SB 808 seeks to strengthen the laws regulating "ghost guns" by requiring an individual who wants to assemble or manufacture a firearm to first acquire a unique serial number from the DOJ. The Resolution further states that, as part of the serial number acquisition process, these individuals would be subjected to a background check, in the same manner as individuals who seek to purchase a firearm. The Resolution, therefore, seeks an official position of the City of Los Angeles to support SB 808 (De León), which would require that individuals who assemble or manufacture a firearm at home apply for and obtain a unique serial number for their weapon from the DOJ.

BACKGROUND

Firearms assembled or manufactured by individuals in their homes, referred to as "ghost guns," are currently not tracked by the state, as they are produced without serial numbers or records of sale. The lack of ability to track these weapons has resulted in a situation where individuals who

are not allowed to purchase firearms because they cannot pass a background check can build a weapon without going through a background check. This was the case in June 2013, when John Zawahri killed five people at Santa Monica College using an illegal assault weapon that he assembled from parts acquired online. Zawahri was able to build a weapon, even though he was denied the ability to purchase a weapon in California because he was found mentally unstable. The ability to purchase weapons parts online, as well as the spread of home manufacturing technology, including 3D printing, increases the threat posed by homemade, unregistered firearms.

To address this, SB 808 would require that any individual who wants to manufacture or assemble a firearm at home first apply for a unique serial number for their weapon from the DOJ. As part of this process, applicants would be screened, as are individuals who seek to purchase firearms at gun shops, in order to prevent prohibited individuals from acquiring weapons. Once acquired, these serial numbers would be required to be permanently affixed to the firearm. SB 808 also requires that individuals with weapons that were previously assembled or manufactured at home acquire a serial number for their weapon and undergo a background check. Further, SB 808 states that violators of the new requirement would be subject to imprisonment in the county jail, a \$1,000 fine, or both.

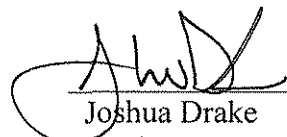
SB 808 is supported by the Brady Campaign to Prevent Gun Violence, the City of Santa Monica, the Los Angeles County Sheriff's Department and the Peace Officers Research Association of California. In addition, the Los Angeles Police Department has indicated it is supportive of this legislation.

DEPARTMENTS NOTIFIED

Police Department

BILL STATUS

01/09/2014	Re-referred to the Senate Committee on Public Safety
01/21/2014	Passed in Committee (5 -1) re-referred to the Senate Committee on Appropriations
01/23/2014	Passed in Committee (5 -1)
01/30/2014	Passed in Senate (22 - 10), ordered to the Assembly


Joshua Drake
Analyst

GFM:MF:jwd

Attachment: Resolution (Koretz - Krekorian)

JAN 28 2014

RULES, ELECTIONS & INTERGOVERNMENTAL RELATIONS

14 0002-5/2

RESOLUTION

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, "ghost guns," which are firearms assembled or manufactured at home that do not have a unique serial number, pose a threat to public safety; and

WHEREAS, individuals who assemble or manufacture these "ghost guns" do not submit to background checks and the state does not know what types of firearms are being assembled; and

WHEREAS, a homemade, unregistered "ghost gun" was used by an individual during a shooting spree on the Santa Monica College campus in June 2013; and

WHEREAS, the spread and evolution of technology, including 3D printers, has made it easier to assemble unregistered weapons, including those that can be carried without setting off metal detectors; and

WHEREAS, the federal government recently extended a prohibition on undetectable firearms, but has not addressed those assembled by individuals without serial numbers; and

WHEREAS, SB 808 (De León), would require that an individual seeking to assemble or manufacture a firearm at home apply for and obtain a serial number for their firearm from the California Department of Justice; and

WHEREAS, SB 808 would require an individual to acquire a serial number prior to assembling or manufacturing a firearm; and

WHEREAS, SB 808 would also require that individuals seeking a serial number for their weapon submit to a background check, in the same manner as those who purchase a firearm from a licensed dealer;

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 808 (De León), which would require that individuals who assemble or manufacture a firearm at home apply for and obtain a unique serial number from the California Department of Justice.

PRESENTED BY

Paul Koretz

PAUL KORETZ
Councilmember, 5th District

SECONDED BY

Paul Kurborn

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JAN 28 2014

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