

**REPORT OF THE
CHIEF LEGISLATIVE ANALYST**

DATE: July 11, 2016

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

FROM: Sharon M. Tso *Sharon Tso* Council File No: 15-0002-S184
Chief Legislative Analyst Assignment No: 16-06-0481

SUBJECT: Resolution (Buscaino – Krekorian – Koretz) in support of AB 1673 (Gipson)

CLA RECOMMENDATION: Adopt Resolution (Buscaino – Krekorian – Koretz) to include in the City’s 2015 - 2016 State Legislative Program SUPPORT for AB 1673 (Gipson), which would expand the definition of “firearm” to include unfinished firearm receivers and frames.

SUMMARY

On May 27, 2016, a Resolution (Buscaino – Krekorian – Koretz) was introduced in support of AB 1673, which would expand the definition of “firearm” to include unfinished receivers and frames, and prohibit their possession by convicted felons and the mentally ill. The Resolution states that federal law defines a firearm as the “frame or receiver of any such weapon” and requires licensed importers and manufacturers to identify all firearms imported or manufactured in the United States with a unique serial number on the receiver or frame. However, the Resolution states that these requirements have been circumvented through the creation and marketing of partial lower receivers and frames without serial numbers, that can be easily modified into functioning firearms, untraceable by law enforcement.

The Resolution states that AB 1673 would amend current law, and expand the definition of “firearm” to include unfinished receivers and frames. The Resolution states that AB 1673 would require background checks for the purchase of unfinished receivers, frame blanks, casting, and machined bodies and require these devices to have serial numbers, as is required for all other firearms sold in the United States. The Resolution, therefore, seeks an official position of the City of Los Angeles to support AB 1673.

BACKGROUND

Under current law, a firearm must have a serial number engraved or cast on the receiver or frame of the weapon. When an individual seeks to purchase a firearm with a serial number, they must submit to a background check and that weapon must meet all requirements under California law. However, there are no provisions in current law preventing an individual from purchasing a cast or machined receiver body that has not reached the stage of manufacturing where it would be considered a firearm and making it into a fully functional firearm. These unfinished receivers, sometimes referred to as “80 percent” or “blank” receivers still require some work to be done before they could be used as part of a firearm, but that work can be done by an individual without submitting to a background check or registering the weapon. According to the Bureau of Alcohol Tobacco and Firearms (ATF), weapons that were built from blank receivers have been recovered at crime scenes, and in the possession of gang members and individuals prohibited from owning a

firearm. Further, because these weapons are not serialized, it is impossible for the ATF or other law enforcement agencies to trace them back to their point of origin, hindering gun crime investigations.

AB 1673 would amend current law, and expand the definition of “firearm” to include “the frame or receiver of the weapon or a frame or receiver ‘blank,’ ‘casting’ or ‘machined body’ that is designed and clearly identifiable as a component of a functional weapon, from which is expelled through a barrel, a projectile by the force of an explosion or other form of combustion” and close the loophole that has enabled individuals prohibited from owning a firearm from acquiring one. Individuals seeking to purchase an incomplete frame or receiver would be subject to the same requirements as all other individuals seeking to purchase firearms, including a waiting period and a background check. Persons prohibited from owning a firearm would also be prohibited from owning an incomplete frame or receiver.

DEPARTMENTS NOTIFIED

Police Department

BILL STATUS

01/19/2016	Bill introduced
02/04/2016	Referred to the Assembly committee on Public Safety
03/28/2016	From committee: Do pass (5-2) and re-refer to the Assembly committee on Appropriations
05/27/2016	From committee: Do pass (14-6)
06/01/2016	Read second time. Ordered to third reading. Assembly Rule 63 suspended
06/01/2016	Read third time, passed (44-33). Ordered to the Senate.
06/09/2016	Referred to the Senate committee on Public Safety
06/14/2016	From committee: Do pass (5-2) and referred to the Senate Committee on Appropriations
06/20/2016	From committee: Do pass (5-2)
06/21/2016	Read second time. Ordered to third reading
06/22/2016	Read third time and amended. Ordered to second reading
06/23/2016	Read second time. Ordered to third reading

Joshua W. Drake
Analyst

SMT:jwd

Attachments: Resolution (Buscaino – Krekorian – Koretz)
AB 1673 (Gipson)

RULES, ELECTIONS & INTERGOVERNMENTAL RELATIONS

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 government 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, Federal law defines a firearm as "the frame or receiver of any such weapon" and requires licensed importers and manufacturers to identify all guns imported or manufactured with a serial number on the receiver or frame; and

WHEREAS, current California law requires background checks and retention of transfer records but neither State nor Federal law prohibits the purchase of a partial lower receiver which may be modified into a fully functioning firearm; and

WHEREAS, the requirements concerning background checks have been circumvented through the creation and marketing of partial lower receivers and frames which may be easily modified into functioning firearms untracable to law enforcement; and

WHEREAS, currently pending in the State Legislature is AB 1673 (Gipson) which would expand the definition of firearm to include the "frame or receiver blank, casting, or machines body, that is designed and clearly identifiable as a component of a functional weapon;" and

WHEREAS, AB 1673 would require background checks for the purchase of receivers, frame blanks, castings, and machined bodies and require mandatory serial number application, thereby closing a dangerous loophole;

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 2015-16 State Legislative Program SUPPORT for AB 1673 (Gipson) which would treat unfinished receivers and frames in the same manner as finished receivers, prohibiting possession by convicted felons and the mentally ill.

CO- PRESENTED BY: 
JOE BUSCAINO
Councilmember, 15th District


PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY 


MAY 27 2016

AMENDED IN SENATE JUNE 22, 2016
AMENDED IN ASSEMBLY MAY 31, 2016
AMENDED IN ASSEMBLY MARCH 29, 2016
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1673

**Introduced by Assembly Member Gipson
(Coauthors: Assembly Members Bonta, Chiu, Jones-Sawyer, Levine,
Santiago, and Ting)**

January 19, 2016

An act to amend Section 16520 of the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

AB 1673, as amended, Gipson. Firearms: unfinished frame or receiver.

Existing law generally regulates the transfer and possession of firearms. Existing law defines the term "firearm" for various regulatory purposes, including, among others and subject to exceptions, the requirement that firearms be transferred by or through a licensed firearms dealer, the requirement of a 10-day waiting period prior to delivery of a firearm by a dealer, the requirement that firearm purchasers be subject to a background check, and the prohibition on certain classes of persons, such as felons, possessing firearms. *Under existing law, the term "firearm" includes the frame or receiver of the weapon.* Existing law provides, for some of these provisions, that makes a violation of the provision is certain of these prohibitions a crime.

This bill would expand the definition of "firearm" for those purposes and other purposes to include a frame or receiver blank, casting, or

~~machined body, that is designed and clearly identifiable as a component of a functional weapon, from which is expelled through a barrel, a projectile by the force of an explosion or other form of combustion.~~

This bill would define a frame or receiver as that part of a firearm which provides housing for the hammer, bolt, or breechblock, and firing mechanism, and which is usually threaded at its forward portion to receive the barrel, and would include within this definition a frame or receiver blank, casting, or machined body that requires further machining or molding to be used as part of a functional weapon so long as it has been designed and is clearly identifiable as being used exclusively as part of a functional weapon.

By expanding the scope of existing crimes, this bill would impose a state-mandated local program.

This bill would incorporate additional changes to Section 16520 of the Penal Code proposed by SB 894, SB 1407, and AB 857 which would become operative if this bill and those bills are enacted, as specified, and this bill is enacted last.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

- 1 SECTION 1. Section 16520 of the Penal Code is amended to
- 2 read:
- 3 16520. (a) As used in this part, "firearm" means a device,
- 4 designed to be used as a weapon, from which is expelled through
- 5 a barrel, a projectile by the force of an explosion or other form of
- 6 combustion.
- 7 (b) As used in the following ~~provisions, sections,~~ "firearm"
- 8 includes the frame or receiver of the weapon, ~~or a frame or receiver~~
- 9 ~~blank, casting, or machined body, that is designed and clearly~~
- 10 ~~identifiable as a component of a functional weapon, from which~~
- 11 ~~is expelled through a barrel, a projectile by the force of an~~
- 12 ~~explosion or other form of combustion:~~ *as defined in subdivision*
- 13 *(h):*

- 1 (1) Section 16550.
- 2 (2) Section 16730.
- 3 (3) Section 16960.
- 4 (4) Section 16990.
- 5 (5) Section 17070.
- 6 (6) Section 17310.
- 7 (7) Sections 26500 to 26588, inclusive.
- 8 (8) Sections 26600 to 27140, inclusive.
- 9 (9) Sections 27400 to 28000, inclusive.
- 10 (10) Section 28100.
- 11 (11) Sections 28400 to 28415, inclusive.
- 12 (12) Sections 29010 to 29150, inclusive.
- 13 (13) Sections 29610 to 29750, inclusive.
- 14 (14) Sections 29800 to 29905, inclusive.
- 15 (15) Sections 30150 to 30165, inclusive.
- 16 (16) Section 31615.
- 17 (17) Sections 31705 to 31830, inclusive.
- 18 (18) Sections 34355 to 34370, inclusive.
- 19 (19) Sections 8100, 8101, and 8103 of the Welfare and
20 Institutions Code.
- 21 (c) As used in the following provisions, “firearm” also includes
22 a rocket, rocket propelled projectile launcher, or similar device
23 containing an explosive or incendiary material, whether or not the
24 device is designed for emergency or distress signaling purposes:
 - 25 (1) Section 16750.
 - 26 (2) Subdivision (b) of Section 16840.
 - 27 (3) Section 25400.
 - 28 (4) Sections 25850 to 26025, inclusive.
 - 29 (5) Subdivisions (a), (b), and (c) of Section 26030.
 - 30 (6) Sections 26035 to 26055, inclusive.
- 31 (d) As used in the following provisions, “firearm” does not
32 include an unloaded antique firearm:
 - 33 (1) Subdivisions (a) and (c) of Section 16730.
 - 34 (2) Section 16550.
 - 35 (3) Section 16960.
 - 36 (4) Section 17310.
 - 37 (5) Chapter 6 (commencing with Section 26350) of Division 5
38 of Title 4.
 - 39 (6) Chapter 7 (commencing with Section 26400) of Division 5
40 of Title 4.

- 1 (7) Sections 26500 to 26588, inclusive.
2 (8) Sections 26700 to 26915, inclusive.
3 (9) Section 27510.
4 (10) Section 27530.
5 (11) Section 27540.
6 (12) Section 27545.
7 (13) Sections 27555 to 27585, inclusive.
8 (14) Sections 29010 to 29150, inclusive.
9 (15) Section 25135.
- 10 (e) As used in Sections 34005 and 34010, “firearm” does not
11 include a destructive device.
- 12 (f) As used in Sections 17280 and 24680, “firearm” has the
13 same meaning as in Section 922 of Title 18 of the United States
14 Code.
- 15 (g) As used in Sections 29010 to 29150, inclusive, “firearm”
16 includes the unfinished frame or receiver of a weapon that can be
17 readily converted to the functional condition of a finished frame
18 or receiver.
- 19 (h) *As used in this section, “frame” and “receiver” means that*
20 *part of a firearm which provides housing for the hammer, bolt, or*
21 *breechblock, and firing mechanism, and which is usually threaded*
22 *at its forward portion to receive the barrel, and includes a frame*
23 *or receiver blank, casting, or machined body that requires further*
24 *machining or molding to be used as part of a functional weapon*
25 *so long as it has been designed and is clearly identifiable as being*
26 *used exclusively as part of a functional weapon.*
- 27 *SEC. 1.1. Section 16520 of the Penal Code is amended to read:*
28 16520. (a) As used in this part, “firearm” means a device,
29 designed to be used as a weapon, from which is expelled through
30 a barrel, a projectile by the force of an explosion or other form of
31 combustion.
- 32 (b) As used in the following ~~provisions, sections,~~ “firearm”
33 includes the frame or receiver of the ~~weapon;~~ *weapon, as defined*
34 *in subdivision (h):*
- 35 (1) Section 16550.
36 (2) Section 16730.
37 (3) Section 16960.
38 (4) Section 16990.
39 (5) Section 17070.
40 (6) Section 17310.

- 1 (7) Sections 25250 to 25275, inclusive.
- 2 ~~(7)~~
- 3 (8) Sections 26500 to 26588, inclusive.
- 4 ~~(8)~~
- 5 (9) Sections 26600 to 27140, inclusive.
- 6 ~~(9)~~
- 7 (10) Sections 27400 to 28000, inclusive.
- 8 ~~(10)~~
- 9 (11) Section 28100.
- 10 ~~(11)~~
- 11 (12) Sections 28400 to 28415, inclusive.
- 12 ~~(12)~~
- 13 (13) Sections 29010 to 29150, inclusive.
- 14 ~~(13)~~
- 15 (14) Sections 29610 to 29750, inclusive.
- 16 ~~(14)~~
- 17 (15) Sections 29800 to 29905, inclusive.
- 18 ~~(15)~~
- 19 (16) Sections 30150 to 30165, inclusive.
- 20 ~~(16)~~
- 21 (17) Section 31615.
- 22 ~~(17)~~
- 23 (18) Sections 31705 to 31830, inclusive.
- 24 ~~(18)~~
- 25 (19) Sections 34355 to 34370, inclusive.
- 26 ~~(19)~~
- 27 (20) Sections 8100, 8101, and 8103 of the Welfare and
- 28 Institutions Code.
- 29 (c) As used in the following provisions, “firearm” also includes
- 30 a rocket, rocket propelled projectile launcher, or similar device
- 31 containing an explosive or incendiary material, whether or not the
- 32 device is designed for emergency or distress signaling purposes:
- 33 (1) Section 16750.
- 34 (2) Subdivision (b) of Section 16840.
- 35 (3) Section 25400.
- 36 (4) Sections 25850 to 26025, inclusive.
- 37 (5) Subdivisions (a), (b), and (c) of Section 26030.
- 38 (6) Sections 26035 to 26055, inclusive.
- 39 (d) As used in the following provisions, “firearm” does not
- 40 include an unloaded antique firearm:

- 1 (1) Subdivisions (a) and (c) of Section 16730.
2 (2) Section 16550.
3 (3) Section 16960.
4 (4) Section 17310.
5 (5) *Division 4.5 (commencing with Section 25250) of Title 4.*
6 ~~(5)~~
7 (6) Chapter 6 (commencing with Section 26350) of Division 5
8 of Title 4.
9 ~~(6)~~
10 (7) Chapter 7 (commencing with Section 26400) of Division 5
11 of Title 4.
12 ~~(7)~~
13 (8) Sections 26500 to 26588, inclusive.
14 ~~(8)~~
15 (9) Sections 26700 to 26915, inclusive.
16 ~~(9)~~
17 (10) Section 27510.
18 ~~(10)~~
19 (11) Section 27530.
20 ~~(11)~~
21 (12) Section 27540.
22 ~~(12)~~
23 (13) Section 27545.
24 ~~(13)~~
25 (14) Sections 27555 to 27585, inclusive.
26 ~~(14)~~
27 (15) Sections 29010 to 29150, inclusive.
28 ~~(15)~~
29 (16) Section 25135.
30 (e) As used in Sections 34005 and 34010, “firearm” does not
31 include a destructive device.
32 (f) As used in Sections 17280 and 24680, “firearm” has the
33 same meaning as in Section 922 of Title 18 of the United States
34 Code.
35 (g) As used in Sections 29010 to 29150, inclusive, “firearm”
36 includes the unfinished frame or receiver of a weapon that can be
37 readily converted to the functional condition of a finished frame
38 or receiver.
39 (h) *As used in this section, “frame” and “receiver” means that*
40 *part of a firearm which provides housing for the hammer, bolt, or*

1 *breechblock, and firing mechanism, and which is usually threaded*
2 *at its forward portion to receive the barrel, and includes a frame*
3 *or receiver blank, casting, or machined body that requires further*
4 *machining or molding to be used as part of a functional weapon*
5 *so long as it has been designed and is clearly identifiable as being*
6 *used exclusively as part of a functional weapon.*

7 *SEC. 1.2. Section 16520 of the Penal Code is amended to read:*

8 16520. (a) As used in this part, "firearm" means a device,
9 designed to be used as a weapon, from which is expelled through
10 a barrel, a projectile by the force of an explosion or other form of
11 combustion.

12 (b) As used in the following ~~provisions, sections,~~ "firearm"
13 includes the frame or receiver of the ~~weapon:~~ *weapon, as defined*
14 *in subdivision (h):*

- 15 (1) Section 16550.
- 16 (2) Section 16730.
- 17 (3) Section 16960.
- 18 (4) Section 16990.
- 19 (5) Section 17070.
- 20 (6) Section 17310.
- 21 (7) Sections 26500 to 26588, inclusive.
- 22 (8) Sections 26600 to 27140, inclusive.
- 23 (9) Sections 27400 to 28000, inclusive.
- 24 (10) Section 28100.
- 25 (11) Sections 28400 to 28415, inclusive.
- 26 (12) Sections 29010 to 29150, inclusive.
- 27 (13) *Section 29180.*
- 28 ~~(13)~~
- 29 (14) Sections 29610 to 29750, inclusive.
- 30 ~~(14)~~
- 31 (15) Sections 29800 to 29905, inclusive.
- 32 ~~(15)~~
- 33 (16) Sections 30150 to 30165, inclusive.
- 34 ~~(16)~~
- 35 (17) Section 31615.
- 36 ~~(17)~~
- 37 (18) Sections 31705 to 31830, inclusive.
- 38 ~~(18)~~
- 39 (19) Sections 34355 to 34370, inclusive.
- 40 ~~(19)~~

1 (20) Sections 8100, 8101, and 8103 of the Welfare and
2 Institutions Code.

3 (c) As used in the following provisions, “firearm” also includes
4 a rocket, rocket propelled projectile launcher, or similar device
5 containing an explosive or incendiary material, whether or not the
6 device is designed for emergency or distress signaling purposes:

7 (1) Section 16750.

8 (2) Subdivision (b) of Section 16840.

9 (3) Section 25400.

10 (4) Sections 25850 to 26025, inclusive.

11 (5) Subdivisions (a), (b), and (c) of Section 26030.

12 (6) Sections 26035 to 26055, inclusive.

13 (d) As used in the following provisions, “firearm” does not
14 include an unloaded antique firearm:

15 (1) Subdivisions (a) and (c) of Section 16730.

16 (2) Section 16550.

17 (3) Section 16960.

18 (4) Section 17310.

19 (5) Chapter 6 (commencing with Section 26350) of Division 5
20 of Title 4.

21 (6) Chapter 7 (commencing with Section 26400) of Division 5
22 of Title 4.

23 (7) Sections 26500 to 26588, inclusive.

24 (8) Sections 26700 to 26915, inclusive.

25 (9) Section 27510.

26 (10) Section 27530.

27 (11) Section 27540.

28 (12) Section 27545.

29 (13) Sections 27555 to 27585, inclusive.

30 (14) Sections 29010 to 29150, inclusive.

31 (15) Section 25135.

32 (16) Section 29180.

33 (e) As used in Sections 34005 and 34010, “firearm” does not
34 include a destructive device.

35 (f) As used in Sections 17280 and 24680, “firearm” has the
36 same meaning as in Section 922 of Title 18 of the United States
37 Code.

38 (g) As used in Sections 29010 to 29150, inclusive, “firearm”
39 includes the unfinished frame or receiver of a weapon that can be

1 readily converted to the functional condition of a finished frame
2 or receiver.

3 (h) As used in this section, "frame" and "receiver" means that
4 part of a firearm which provides housing for the hammer, bolt, or
5 breechblock, and firing mechanism, and which is usually threaded
6 at its forward portion to receive the barrel, and includes a frame
7 or receiver blank, casting, or machined body that requires further
8 machining or molding to be used as part of a functional weapon
9 so long as it has been designed and is clearly identifiable as being
10 used exclusively as part of a functional weapon.

11 SEC. 1.3. Section 16520 of the Penal Code is amended to read:

12 16520. (a) As used in this part, "firearm" means a device,
13 designed to be used as a weapon, from which is expelled through
14 a barrel, a projectile by the force of an explosion or other form of
15 combustion.

16 (b) As used in the following ~~provisions;~~ sections, "firearm"
17 includes the frame or receiver of the ~~weapon;~~ weapon, as defined
18 in subdivision (h):

- 19 (1) Section 16550.
- 20 (2) Section 16730.
- 21 (3) Section 16960.
- 22 (4) Section 16990.
- 23 (5) Section 17070.
- 24 (6) Section 17310.
- 25 (7) Sections 25250 to 25275, inclusive.
- 26 ~~(7)~~
- 27 (8) Sections 26500 to 26588, inclusive.
- 28 ~~(8)~~
- 29 (9) Sections 26600 to 27140, inclusive.
- 30 ~~(9)~~
- 31 (10) Sections 27400 to 28000, inclusive.
- 32 ~~(10)~~
- 33 (11) Section 28100.
- 34 ~~(11)~~
- 35 (12) Sections 28400 to 28415, inclusive.
- 36 ~~(12)~~
- 37 (13) Sections 29010 to 29150, inclusive.
- 38 (14) Section 29180.
- 39 ~~(13)~~
- 40 (15) Sections 29610 to 29750, inclusive.

- 1 ~~(14)~~
 2 (16) Sections 29800 to 29905, inclusive.
 3 ~~(15)~~
 4 (17) Sections 30150 to 30165, inclusive.
 5 ~~(16)~~
 6 (18) Section 31615.
 7 ~~(17)~~
 8 (19) Sections 31705 to 31830, inclusive.
 9 ~~(18)~~
 10 (20) Sections 34355 to 34370, inclusive.
 11 ~~(19)~~
 12 (21) Sections 8100, 8101, and 8103 of the Welfare and
 13 Institutions Code.
 14 (c) As used in the following provisions, “firearm” also includes
 15 a rocket, rocket propelled projectile launcher, or similar device
 16 containing an explosive or incendiary material, whether or not the
 17 device is designed for emergency or distress signaling purposes:
 18 (1) Section 16750.
 19 (2) Subdivision (b) of Section 16840.
 20 (3) Section 25400.
 21 (4) Sections 25850 to 26025, inclusive.
 22 (5) Subdivisions (a), (b), and (c) of Section 26030.
 23 (6) Sections 26035 to 26055, inclusive.
 24 (d) As used in the following provisions, “firearm” does not
 25 include an unloaded antique firearm:
 26 (1) Subdivisions (a) and (c) of Section 16730.
 27 (2) Section 16550.
 28 (3) Section 16960.
 29 (4) Section 17310.
 30 (5) *Division 4.5 (commencing with Section 25250) of Title 4.*
 31 ~~(5)~~
 32 (6) Chapter 6 (commencing with Section 26350) of Division 5
 33 of Title 4.
 34 ~~(6)~~
 35 (7) Chapter 7 (commencing with Section 26400) of Division 5
 36 of Title 4.
 37 ~~(7)~~
 38 (8) Sections 26500 to 26588, inclusive.
 39 ~~(8)~~
 40 (9) Sections 26700 to 26915, inclusive.

- 1 ~~(9)~~
2 ~~(10)~~ Section 27510.
3 ~~(10)~~
4 ~~(11)~~ Section 27530.
5 ~~(11)~~
6 ~~(12)~~ Section 27540.
7 ~~(12)~~
8 ~~(13)~~ Section 27545.
9 ~~(13)~~
10 ~~(14)~~ Sections 27555 to 27585, inclusive.
11 ~~(14)~~
12 ~~(15)~~ Sections 29010 to 29150, inclusive.
13 ~~(15)~~
14 ~~(16)~~ Section 25135.
15 ~~(17)~~ Section 29180.
16 (e) As used in Sections 34005 and 34010, “firearm” does not
17 include a destructive device.
18 (f) As used in Sections 17280 and 24680, “firearm” has the
19 same meaning as in Section 922 of Title 18 of the United States
20 Code.
21 (g) As used in Sections 29010 to 29150, inclusive, “firearm”
22 includes the unfinished frame or receiver of a weapon that can be
23 readily converted to the functional condition of a finished frame
24 or receiver.
25 (h) *As used in this section, “frame” and “receiver” means that*
26 *part of a firearm which provides housing for the hammer, bolt, or*
27 *breechblock, and firing mechanism, and which is usually threaded*
28 *at its forward portion to receive the barrel, and includes a frame*
29 *or receiver blank, casting, or machined body that requires further*
30 *machining or molding to be used as part of a functional weapon*
31 *so long as it has been designed and is clearly identifiable as being*
32 *used exclusively as part of a functional weapon.*
33 SEC. 2. (a) Section 1.1 of this bill incorporates amendments
34 to Section 16520 of the Penal Code proposed by both this bill and
35 Senate Bill 894. It shall only become operative if (1) both bills are
36 enacted and become effective on or before January 1, 2017, (2)
37 each bill amends Section 16520 of the Penal Code, (3) Senate Bill
38 1407 and Assembly Bill 857 are not enacted or as enacted do not
39 amend that section, and (4) this bill is enacted after Senate Bill

1 894, in which case Sections 1, 1.2, and 1.3 of this bill shall not
2 become operative.

3 (b) Section 1.2 of this bill incorporates amendments to Section
4 16520 of the Penal Code proposed by this bill and both Senate
5 Bill 1407 and Assembly Bill 857. It shall only become operative
6 if (1) all bills are enacted, or just this bill and either Senate Bill
7 1407 or Senate Bill 857 are enacted and become effective on or
8 before January 1, 2017, (2) each bill as enacted amends Section
9 16520 of the Penal Code, (3) Senate Bill 894 is not enacted or as
10 enacted does not amend that section, and (4) this bill is enacted
11 after Senate Bill 1407 and Assembly Bill 857 in which case Sections
12 1, 1.1, and 1.3 of this bill shall not become operative.

13 (c) Section 1.3 of this bill incorporates amendments to Section
14 16520 of the Penal Code proposed by this bill, Senate Bill 894,
15 Senate Bill 1407, and Assembly Bill 857. It shall only become
16 operative if (1) all bills are enacted, or this bill, Senate Bill 894,
17 and either Senate Bill 1407 or Assembly Bill 857 are enacted and
18 become effective on or before January 1, 2017, (2) each bill as
19 enacted amends Section 16520 of the Penal Code, and (3) this bill
20 is enacted after Senate Bill 894 and both Senate Bill 1407 and
21 Assembly Bill 857, in which case Sections 1, 1.1, and 1.2 of this
22 bill shall not become operative.

23 ~~SEC. 2.~~

24 SEC. 3. No reimbursement is required by this act pursuant to
25 Section 6 of Article XIII B of the California Constitution because
26 the only costs that may be incurred by a local agency or school
27 district will be incurred because this act creates a new crime or
28 infraction, eliminates a crime or infraction, or changes the penalty
29 for a crime or infraction, within the meaning of Section 17556 of
30 the Government Code, or changes the definition of a crime within
31 the meaning of Section 6 of Article XIII B of the California
32 Constitution.

O