

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2023-2024 Regular Session

SB 1038 (Blakespear)
Version: March 11, 2024
Hearing Date: April 9, 2024
Fiscal: Yes
Urgency: No
AM

SUBJECT

Firearms

DIGEST

This bill requires every person to report the loss or theft of a firearm owned or possessed by them to a local law enforcement agency within 48 hours of knowing or when the person reasonably should have known the firearm was stolen or lost. The bill requires the California Department of Justice (DOJ) to inspect the 25 firearm dealer locations that are the source or origin of crime guns,¹ as specified. The bill requires a firearms dealer to annually certify their inventory to the DOJ and makes a person who violates this provision subject to a civil penalty. The bill also requires, beginning January 1, 2027, firearms dealers to report to DOJ acquisitions of firearms from a wholesaler and acquisitions from parties licensed pursuant to federal law, which are currently exempted from reporting under existing law.

EXECUTIVE SUMMARY

This bill seeks to bolster California's existing laws related to the reporting of information on firearms to the DOJ in order to have more accurate and timely data. First, it requires that a theft or loss of a firearm be reported to law enforcement within 48 hours of discovery, instead of five days. Second, it deletes existing exemptions on reporting dealer acquisitions from wholesalers and manufacturers or persons licensed by the federal government. Lastly, it requires a firearms dealer to annually certify their inventory to the DOJ, subject to civil penalties for failure to comply. The bill also requires the DOJ to inspect the 25 firearm dealer locations that are the source or origin of the highest gross number of crime guns. The bill is sponsored by San Diegans for Gun Violence Prevention and the San Diego City Attorney's Office. The bill is supported by numerous organizations that advocate for reform around firearm laws and violence caused by firearms and a numerous branches of Indivisible CA:

¹ A crime gun is a firearm that was recovered by a law enforcement agency after it was used in a crime, suspected to have been used in a crime, or was illegally possessed. (Pen. Code § 11108.3.)

StateStrong. The bill is opposed by entities that advocate for firearms dealers and manufactures and owners of firearms and also by six individuals. The bill passed the Senate Public Safety Committee on a vote of 4 to 1. Since this bill amends an initiative statute, it requires a 55 percent vote.

PROPOSED CHANGES TO THE LAW

Existing federal law:

- 1) Provides, pursuant to the Second Amendment to the United States Constitution, that a well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed. (U.S. Const. Amend. 2.)
- 2) Requires licensed importers and licensed manufacturers to identify each firearm imported or manufactured by using the serial number engraved or cast on the receiver or frame of the weapon, in such manner as prescribed by the Attorney General (AG). (18 U.S.C. § 923, subd. (i).)
- 3) Requires federally licensed firearm dealers to report the theft or loss of firearms from their inventory within 48 hours after the theft or loss is discovered. (27 C.F.R. § 478.39a.)

Existing state law:

- 1) Prohibits, generally, the sale, lease or transfer of firearms unless the person has been issued a license by the DOJ, except as specified. (Pen. Code §§ 26500 et. seq.)
- 2) Requires the DOJ to keep a centralized list of all persons licensed to sell, lease, or transfer firearms at retail. (Pen. Code § 26715.)
- 3) Requires every person to report the loss or theft of a firearm owned or possessed by them to a local law enforcement agency in the jurisdiction in which the theft or loss occurred within five days of the person knowing or when the person reasonably should have known that the firearm had been stolen or lost. (Pen. Code § 25250(a).)
 - a) Every person who has reported a lost or stolen firearm is required to notify the local law enforcement agency to whom they reported the loss or theft within 5 days if the firearm is subsequently recovered. (Pen. Code § 25250(b).)
 - b) Every person reporting a lost or stolen firearm must report the make, model, and serial number of the firearm, if known, and any additional relevant information required by the local law enforcement agency taking the report. (Pen. Code, § 25270.)
 - c) A person is not required to report the loss of an antique firearm, as defined. (Pen. Code § 25250(c).)

- d) Failure to report a lost or stolen firearm is punished as an infraction with a fine up to \$100 for a first offense and up to \$1,000 for a second offense, and as a misdemeanor for any subsequent offense. (Pen. Code, § 25265.)
- 4) Requires law enforcement agencies to enter into the DOJ Automated Firearms System (AFS) every firearm that has been reported stolen, lost, found, recovered, held for safekeeping, surrendered or relinquished, as specified. (Pen. Code §§ 11108.2 & 25260.)
 - a) Law enforcement agencies subject to the above reporting requirement must, and other specified agencies may, report to the DOJ all available information necessary to identify and trace the history of all recovered firearms that are illegally possessed, have been used in a crime, or are suspected of having been used in a crime, within seven calendar days of procuring the information. (Pen. Code § 11108.3(a).)
- 5) Authorizes the DOJ to assess civil fines against a licensee for any breach of a prohibition or requirement that subjects the licensee to forfeiture of their license to sell firearms, as specified. (Pen. Code § 26800(b).)
- 6) Requires every licensed firearms dealer to:
 - a) Keep a register or record of electronic or telephonic transfer in which specified information regarding firearm purchases must be recorded, and to make information regarding firearm transactions available to law enforcement. (Pen. Code §§ 26900, 28100 & 28160.)
 - b) Record and forward certain information regarding firearm transactions, including firearm purchaser information, to the DOJ before completing a sale, lease, or transfer of a firearm. (Pen. Code, §§ 28200 et seq.)
 - c) Report to the DOJ, on the date of receipt, the acquisition of any firearm, subject to certain exceptions, including:
 - i. acquisitions of firearms by a dealer from a wholesaler;
 - ii. acquisitions by a dealer from a person licensed as a manufacturer or importer to engage in those activities pursuant to federal law; and
 - iii. acquisitions by a dealer from a person who resides outside the state who is licensed as a "federal firearms licensee" (FFL) pursuant to federal law. (Pen Code § 26905.)
- 7) Requires the DOJ to maintain the above described information and to analyze the information collected, on an ongoing basis, for patterns and trends relating to crime guns, as specified, including the leading sources and origins of those firearms. (Pen. Code § 11108.3(d) & (e).)
 - a) The DOJ is required to prepare and submit a report to the Legislature summarizing the analysis above and requires specified information regarding the quantity of certain firearms recovered by law enforcement, disaggregated as specified, to be included in the report. (Pen. Code § 11108.3(f).)

- 8) Authorizes the DOJ to inspect firearms dealers every three years, as specified, in order to ensure compliance with certain statutes and any other applicable state law. (Pen. Code §26720.)
 - a) The DOJ is required to maintain and make available information concerning those inspections, as specified. (Pen. Code § 26725.)

This bill:

- 1) Requires every person to report the loss or theft of a firearm owned or possessed by them to a local law enforcement agency in the jurisdiction in which the theft or loss occurred within 48 days of the person knowing or when the person reasonably should have known that the firearm had been stolen or lost.
- 2) Requires the DOJ to inspect the 25 firearm dealer locations that are the source or origin of the highest gross number of firearms that have been illegally possessed, used in a crime, or suspected to have been used in a crime as described in the report the DOJ is required to provide to the Legislature.
 - a) Specifies that this provision does not require a dealer location to be inspected if an inspection has already been completed by the DOJ within the previous year.
- 3) Repeals the exceptions for firearms dealers to report acquisitions of firearms from a wholesaler and acquisitions from parties licensed pursuant to federal law commencing January 1, 2027.
- 4) Requires a firearms dealer to annually certify their inventory to the DOJ, including the make, model, and serial number of their entire inventory.
 - a) Authorizes the DOJ to send a copy of the annual certifications to a local law enforcement agency, upon request of that agency.
 - b) Authorizes the Attorney General (AG), city attorney, or county counsel to impose a civil penalty on a person who violates this section in the amount of \$3,000 per day for the first violation, \$5,000 per day for a second violation, and \$10,000 per day for a third and subsequent violation.
 - c) All civil penalties collected are to be paid to the office that brought the action.

COMMENTS

1. Stated need for the bill

The author writes:

Today, there are more guns than people² and more gun dealers than all McDonalds, Burger Kings, Subways, and Wendy's restaurants combined in the United States.³ Considering the number of firearms circulating throughout our country, it is unsurprising that many firearms end up lost, stolen, trafficked, and associated with crimes.

Between 2017 and 2021, there were over one million reported gun losses or thefts,⁴ and the ATF noted this number significantly underrepresents the actual total because many people don't report lost or stolen guns. The most recent estimate of stolen firearms found that approximately 380,000 firearms a year are stolen from private citizens.⁵ These guns, alongside guns trafficked from out-of-state and purchased from dealers that often violate state and federal regulations, often end up being used in crimes.⁶ According to the DOJ, from 2010 to 2022, law enforcement recovered 545,946 crime guns in California. Over half of the 80,000 traceable crime guns came from just 82 dealers in California.⁷

Although much of gun trafficking is due to guns passing from states with weak gun laws to those with strong laws like California, there are things we can do right now to reduce gun trafficking and, consequently, the opportunity for gun crime. Right now, people have five days to report lost or stolen firearms, which is longer than 13 other states. If someone steals your car, you don't wait five days. You shouldn't wait with a gun either. SB 1038 gives people 48 hours to report the missing firearm, which is more than enough time to reach out to local law enforcement. Importantly, requiring people report missing firearms helps prevent straw purchases – purchases in which someone who can legally purchase a firearm buys it for someone who can't

² Thomas Black, *Americans Have More Guns Than Anywhere Else in the World and They Keep Buying More*, Bloomberg, (May 25, 2022), <https://www.bloomberg.com/news/articles/2022-05-25/how-many-guns-in-the-us-buying-sprees-bolsters-lead-as-most-armed-country>.

³ Everytown Research & Policy, *Inside the Gun Shop: Firearms Dealers and their Impact*, (Jul. 7, 2023), <https://everytownresearch.org/report/firearms-dealers-and-their-impact/>.

⁴ *Part V: Firearm Thefts*, Bur. Of Alcohol, Tobacco and Firearms, (Jan. 11, 2023), <https://www.atf.gov/firearms/docs/report/nfcta-volume-ii-part-v-firearm-thefts/download>.

⁵ David Hemenway, et. al. *Whose guns are stolen? The epidemiology of gun theft victims*, *Injury Epidemiology*, (Apr. 10, 2017), <https://injuryjournal.biomedcentral.com/articles/10.1186/s40621-017-0109-8>.

⁶ Brian Freskos, *Missing Pieces: Gun theft from legal owners is on the rise, quietly fueling crime across America*, *The Trace*, (Nov. 20, 2017), <https://www.thetrace.org/2017/11/stolen-guns-violent-crime-america/>.

⁷ Cal. Dept. of Justice, *Crime Guns in California: Mandated Reporting Statistics AB 1191 Legislative Report*, (June 30, 2023), <https://oag.ca.gov/system/files/attachments/press-docs/AB%201191%20Crime%20Gun%20Report.pdf>.

legally buy it themselves because the person cannot falsely claim its missing down the line without repercussions.

We can also focus on gun dealers that are disproportionately selling guns that wind up used in crimes. SB 1038 will require dealers to (1) report almost all acquisitions of firearms alongside sales, (2) certify their inventories annually, so when we identify bad actors, we have records to challenge them on, and (3) direct the California Department of Justice to increase scrutiny on bad actors and less on good, law-abiding dealers. For instance, over a 12-year period, one gun California dealer location was associated with 1,652 crime guns.⁸ If enacted, SB 1038 would require that location to undergo inspection more frequently to ensure that the dealer is not directly contributing to our crime gun problem. When retailers are held accountable, the flow of new guns into the illicit market often decreases.⁹

Death by firearm is the number one killer of our children. We must do more to curb gun violence, including reducing gun trafficking and the number of crime guns in our state.¹⁰ SB 1038 does just that by increasing scrutiny of problematic dealers, improving dealer recordkeeping, and requiring people report lost or stolen firearms within 48 hours.

2. This bill requires a person to report a lost or stolen firearm within 48 hours, instead of five days

In 2016, California voters enacted Proposition 63, the Background Checks for Ammunition Purchases and Large-Capacity Ammunition Magazine Ban Initiative (generally referred to as the Safety for All Act), which, among other things, required lost or stolen firearms to be reported to local law enforcement within five days. (Prop. 63, Nov. 8, 2016, gen. elec.; Pen. Code § 25250.)¹¹ Prop. 63 specified that it could only be amended by a 55 percent vote and only if the amendments are consistent with and further the purposes of the proposition. (§ 13, Prop. 63, Nov. 8, 2016, gen. elec.) This bill amends Prop. 63 by requiring a person to report a lost or stolen firearm within 48 hours, instead of five days.

⁸ *Ibid.*

⁹ Giffords Law Center to Prevent Gun Violence, *Trafficking & Straw Purchasing*, https://giffords.org/lawcenter/gun-laws/policy-areas/crime-guns/trafficking-straw-purchasing/#footnote_17_5599.

¹⁰ John Hopkins Bloomberg School of Public Health, *CDC Provisional Data: Gun Suicides Reach All-time High in 2022, Gun Homicides Down Slightly from 2021*, (Jul. 27, 2023), <https://publichealth.jhu.edu/2023/cdc-provisional-data-gun-suicides-reach-all-time-high-in-2022-gun-homicides-down-slightly-from-2021#:~:text=Guns%20were%20the%20leading%20cause%20of%20death%20for,second%20highest%20rate%20in%2025%20years%20behind%202021>.

¹¹ A provision of Prop. 63 is currently being challenged as in violation of the Second Amendment; however, the specific provision being challenged relates to the ban of large capacity magazines in § 32310 of the Penal Code. (*Duncan v. Bonta* (2023) 83 F.4th 803 (9th Cir.).)

As noted by the Senate Public Safety Committee analysis of this bill:¹²

While federal law does not require individual gun owners to report the loss or theft of a firearm to law enforcement, 16 states have mandatory loss and/or theft reporting laws, while three states impose some level of liability for stolen firearms. Of the states that require reporting, 11 require reporting within 72 hours of discovery of the loss or theft, while California is one of only 3 states that allows gun owners 5 days to report. This bill brings California into alignment with Virginia as the only 2 states that would have a 48-hour reporting requirement, with only Massachusetts, Ohio, Washington D.C., Hawaii, New York, and Rhode Island having stricter requirements.¹³

3. Crime guns and increased reporting requirements for firearms dealers

In 2023 the DOJ released their mandated report to the Legislature reviewing crime gun data between 2010 and 2022. The report revealed that during that period law enforcement in every county recovered crime guns.¹⁴ Roughly 545,946 crime guns with identifiable serial numbers were recovered by California law enforcement agencies and 85,402 without a serial number.¹⁵ Of the guns with serial numbers, 76,135 could be associated with 1,929 distinct California firearms licensees – with 82 dealers being associated with roughly half of all crime guns and one specific dealer associated with 1,652 crime guns.¹⁶

This bill requires that the DOJ inspect the 25 dealer locations that are the source or origin of the highest gross number of crime guns within the previous year, as evaluated by the DOJ. Under existing law, the DOJ is required, beginning this year, to conduct inspections of licensed firearms dealers at least once every three years to ensure they are complying with all existing law they are subject to including an audit of dealer records. In recognition of the 3-year inspection requirement and to avoid unnecessarily duplicating efforts being made by the DOJ, this bill provides an exemption for dealer locations that have already been inspected by the DOJ within the previous year.

This bill increases reporting requirements on firearms dealers in two ways. First, beginning January 1, 2027, it deletes existing exemptions on reporting dealer acquisitions from wholesalers, manufacturers licensed by the federal government, or persons who reside outside the state and are licensed by the federal government. This will allow the DOJ to get more accurate and complete data.

¹² Sen. Pub. Safety Comm. analysis SB 1038 (2023-24 reg. sess.) as amended Mar. 11, 2024 at p. 5.

¹³ Giffords Law Center to Prevent Gun Violence, *Reporting Lost and Stolen Firearms*, <https://giffords.org/lawcenter/gun-laws/policy-areas/owner-responsibilities/reporting-lost-stolen-guns/>.

¹⁴ *Crime Guns in California* fn. 6, *supra* at p. 3.

¹⁵ *Ibid.*

¹⁶ *Ibid.*

Under existing law, firearms dealers only have to provide information to the DOJ in certain circumstances, which are generally prompted by the acquisition, sale or transfer of a firearms. This bill would require a firearms dealer to annually certify their inventory to the DOJ. The certification must include the make, model, and serial number for the dealer's entire inventory. Under the bill, the DOJ is authorized to send a copy of the annual certification to a local law enforcement agency, upon their request. A violation of the annual inventory certification may be enforced through civil penalties in the amount of \$3,000 per day for the first violation, \$5,000 per day for a second violation, and \$10,000 per day for a third and subsequent violation. The bill authorizes an action for enforcement to be brought by the AG, a city attorney, or county counsel and provides that all civil penalties collected are required to be paid to the office that brought the action.

4. Proposed amendment

Since there is a civil penalty attached to the annual inventory certification, the author may wish to specify the date by which the certification is due to the DOJ annually. The specific amendment is:

Amendment¹⁷

On page 8, in line 34, strike out "annually" and insert:

annually, by December 31 of each year,

5. Statements in support

The Giffords Law Center to Prevent Gun Violence writes in support stating:

While California overall has the strongest gun safety laws in the nation, it nonetheless still faces a big problem with gun trafficking. Recently, researchers at the University of California at Davis conducted a study ("the UC Davis study") of the records for over 380,000 crime guns recovered by law enforcement. They documented a dramatic increase over the decade from 2010 to 2021 in both firearm purchasing and recoveries of crime guns. According to these researchers, the number of crime guns recovered in the state per capita has grown by close to 70% over the last decade. [...]

This bill would strengthen California's law by shortening the time period in which a person must report the loss or theft of a gun to 48 hours. By making California's law stronger in this way, this bill would discourage false reports, provide enhanced

¹⁷ The amendments may also include technical, nonsubstantive changes recommended by the Office of Legislative Counsel.

accountability for gun owners, and provide law enforcement with better information to combat gun traffickers. [...]

Inspections of gun dealers are crucial to ensuring that dealers are complying with the law. The bill would require DOJ to inspect the 25 firearm dealer locations that are the source of the highest gross number of crime guns. By requiring DOJ to inspect the dealers who supply the highest numbers of crime guns, this bill will ensure that DOJ is effectively using the resources it has available for gun store inspections.

A small number of gun dealers in California are the sources of a disproportionate number of the firearms recovered after use in crime in California. More specifically, while 344 licensed gun dealers were associated with only one crime gun, 82 dealers were associated with roughly half of all crime guns (38,230 firearms). The highest number of crime guns associated with one dealer was 1,652. The UC Davis study agrees. It found that 10% of federal firearms licensees (FFLs) account for 95% of crime guns, and 15% of FFLs account for 98% of crime guns.

In a tight budget environment, it makes sense to focus the use of resources on inspecting those dealers who are the source of the greatest numbers of traced firearms. These inspections will ensure that dealers comply with the law and improve their business practices to reduce the number of firearms that end up being used in crimes. [...]

Gun dealers should conduct regular, thorough audits of their inventory to ensure that their records properly reflect all firearms in their possession. This certification will help ensure that these audits occur at least annually and help gun dealers to promptly identify instances when guns have been lost, stolen, or sold "off the books" in any illegal manner without the required record-keeping. This requirement will deter gun trafficking, careless storage practices, and thefts by employees and provide law enforcement with crucial information that can be used to trace crime guns and prevent future gun trafficking.

6. Statements in opposition

The California Rifle & Pistol Association writes in opposition stating:

SB 1038 seeks further penalize Federal Firearms Dealers in the execution of their business under the guise of public safety. There has been no evidence shown that the lack of this legislation is the cause of any of the firearm's violence in California.

This bill as proposed is designed to dissuade law-abiding firearms dealers from exercising their constitutional rights and running a business where they are arguably the most taxed and scrutinized. The author perceives that this legislation will somehow reduce gun violence but nowhere has she to date provided such evidence.

This bill like many others come at a time where California has the most stringent firearms laws and adding another one will only further restrict the ability of law abiding citizens to be able to exercise their rights.

SUPPORT

San Diegans for Gun Violence Prevention (sponsor)

San Diego City Attorney's Office (sponsor)

All Rise Alameda

Brady California

Brady Campaign

Building the Base Face to Face

Change Begins With ME

Cloverdale Indivisible

Contra Costa MoveOn

Defending Our Future: Indivisible in CA 52nd District

East Valley Indivisibles

El Cerrito Progressives

Feminists in Action Los Angeles (Indivisible CA 34 Womens)

Giffords Law Center to Prevent Gun Violence

Hillcrest Indivisible

Indi Squared

Indian Valley Indivisibles

Indivisible 30/Keep Sherman

Accountable

Indivisible 36

Indivisible 41

Indivisible Auburn CA

Indivisible Beach Cities

Indivisible CA-3

Indivisible CA-7

Indivisible CA-25 Simi Valley-Porter Ranch

Indivisible CA-29 Indivisible CA-37

Indivisible CA-39

Indivisible CA-43

Indivisible Claremont/Inland Valley

Indivisible Colusa County Indivisible East Bay

Indivisible El Dorado Hills

Indivisible Elmwood

Indivisible Euclid

Indivisible Lorin

Indivisible Los Angeles

Indivisible Manteca

Indivisible Marin

Indivisible Media City Burbank

Indivisible Mendocino

Indivisible Normal Heights

Indivisible North Oakland Resistance

Indivisible North San Diego County

Indivisible OC 46

Indivisible OC 48

Indivisible Petaluma

Indivisible Sacramento

Indivisible San Bernardino

Indivisible San Jose

Indivisible San Pedro

Indivisible Santa Barbara

Indivisible Santa Cruz County

Indivisible Sausalito

Indivisible Sebastopol

Indivisible SF

Indivisible SF Peninsula and CA-14

Indivisible Sonoma County

Indivisible South Bay LA

Indivisible Stanislaus

Indivisible Suffragists Indivisible Ventura Indivisible Westside L.A.

Indivisible Windsor

Indivisible Yolo

Indivisible: San Diego Central

Indivisibles of Sherman Oaks

Livermore Indivisible

Mill Valley Community Action Network

Mountain Progressives

NeverAgainCA

Nothing Rhymes with Orange

Orchard City Indivisible

Orinda Progressive Action Alliance

Our Revolution Long Beach

Prosecutors Alliance of California, a Project of Tides Advocacy

RiseUp

Rooted in Resistance

Ross Valley Indivisible

San Diego Indivisible Downtown

SFV Indivisible

Tehama Indivisible

The Resistance Northridge

Together We Will Contra Costa

TWW/Indivisible - Los Gatos

Vallejo-Benicia Indivisible

Venice Resistance

Women for American Values and Ethics

Women's Alliance Los Angeles

Yalla Indivisible

OPPOSITION

California Rifle & Pistol Association, Inc.

Gun Owners of California, Inc.

6 individuals

RELATED LEGISLATION

Pending Legislation: SB 965 (Min, 2024) requires the DOJ to submit a report to the Legislature including information about dealer inspections and DOJ staffing related to those inspections. SB 965 is currently pending in the Senate Appropriations Committee.

Prior Legislation:

AB 228 (Rodriguez, Ch. 138, Stats. 2022) required the DOJ, beginning in 2024, to conduct inspections of licensed firearm dealers at least every three years, subject to exceptions, and as specified.

AB 725 (Lowenthal, Ch. 239, Stats. 2023), commencing July 1, 2026, clarified that firearm frames, receivers and precursor parts fall under the definition of "firearm" for the purposes of existing law relating to the reporting of a lost or stolen firearm, and makes a failure to do so punishable as an infraction.

AB 1420 (Berman, Ch. 45, Stats. 2023) expanded the authority of the DOJ to conduct firearm dealer inspections to ensure compliance with all applicable state laws, and required DOJ to maintain information on the number of firearms dealers found to have violated applicable state laws with knowledge or gross negligence.

AB 1191 (McCarty, Ch. 683, Stats. 2021) required the DOJ to analyze crime gun data to recognize patterns related to illegal possession and trafficking and provide their findings in a report to the Legislature.

SB 894 (Jackson, 2016), was substantially similar to both SB 1366 (DeSaulnier, 2012) and SB 299 (DeSaulnier, 2013), except that it would have required reporting of a lost or stolen gun within five days. SB 894 was vetoed by then Governor Brown stating he had already vetoed two similar bills and he had not changed his opinion.

SB 299 (DeSaulnier, 2013), was substantially similar to SB 1366 (DeSaulnier, 2012), except it required reporting of a lost or stolen gun within seven days. SB 299 was vetoed by then Governor Brown for the same reasons he vetoed SB 1366.

SB 1366 (DeSaulnier, 2012), would have required that (1) owners and possessors of firearms report the theft or loss of a firearm within 48 hours, subject to infraction and misdemeanor penalties; and that (2) firearms dealers post a notice of this requirement; and (3) provided that these provisions did not preempt a local ordinance to impose additional penalties or requirements. SB 1366 was vetoed by then Governor Brown stating he was not convinced that criminalizing the failure to report a lost or stolen firearm would improve identification of gun traffickers or help law enforcement disarm people prohibited from possessing guns.

PRIOR VOTES

Senate Public Safety Committee (Ayes 4, Noes 1)
