

# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
<b>AMMUNITION</b>	SECTION 1. Section 11106.5 is added to the Penal Code, to read:	SEC. 8. Sales of Ammunition. Article 4 (commencing with section 30370) and Article 5 (commencing with section 30385) are hereby added to Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal Code; Sections 16151, 30314, 30342, 30348, 30363, and 30371 are hereby added to the Penal Code; the heading of Article 3 (commencing with Section 30342) of Chapter 1 of Division 10 of Title 4 of Part 6, and Sections 16150, 17315, 30306, 30312, 30347, 30350, and 30352 of the Penal Code are hereby amended, and Section 16662 of the Penal Code is hereby repealed. <sup>(1)</sup>	
<b>11106.5(a)</b>	In addition to the requirements of Section 11106, the Attorney General shall keep and properly file a complete record of both of the following:		
<b>11106.5(a)(1)</b>	Ammunition vendor license information pursuant to Article 3 (commencing with Section 30345) of Chapter 1 of Division 10 of Title 4 of Part 6.		
<b>11106.5(a)(2)</b>	Information required by Section 30369.		
<b>11106.5(b)</b>	If the conditions of paragraph (2) of subdivision (c) of Section 11106 are met, an officer referred to in paragraphs (1) to (6), inclusive, of subdivision (b) of Section 11105 may disseminate the fact of any ammunition purchases by the subject of a state summary criminal history record based on information supplied by the department pursuant to Section 30352.		
	SEC. 2. Section 16150 of the Penal Code is amended to read:	Section 16150 of the Penal Code is amended to read:	
<b>16150(a)</b>	As used in this part, except as specified in subdivision (b), "ammunition" means one or more loaded cartridges consisting of a primer case, propellant, and with one or more projectiles. "Ammunition" does not include blanks.	As used in this part, except in subdivision (a) of Section 30305 and in Section 30306, "ammunition" means one or more loaded cartridges consisting of a primed case, propellant, and with one or more projectiles. "Ammunition" does not include blanks.	As used in this part, except in subdivision (a) of Section 30305 and in Section 30306, "ammunition" means one or more loaded cartridges consisting of a primed case, propellant, and with one or more projectiles. "Ammunition" does not include blanks.
<b>16150(b)</b>	As used in subdivision (a) of Section 30305 and in Section 30306, "ammunition" includes, but is not limited to, any bullet, cartridge, magazine, clip, speed loader, autoloader, or projectile capable of being fired from a firearm with a deadly consequence. "Ammunition" does not include blanks.	As used in subdivision (a) of Section 30305 and in Section 30306, "ammunition" includes, but is not limited to, any bullet, cartridge, magazine, clip, speed loader, autoloader, or projectile capable of being fired from a firearm with a deadly consequence. "Ammunition" does not include blanks.	As used in subdivision (a) of Section 30305 and in Section 30306, "ammunition" includes, but is not limited to, any bullet, cartridge, magazine, clip, speed loader, autoloader, or projectile capable of being fired from a firearm with a deadly consequence. "Ammunition" does not include blanks.
	SEC. 3. Section 16151 is added to the Penal Code, to read:	Section 16151 is added to the Penal Code, to read:	
<b>16151</b>	Commencing January 1, 2018, as used in this part, "ammunition vendor" means any person, firm, corporation, dealer, or any other business that has a current ammunition vendor license issued pursuant to Section 30345.		

LEGEND:  CHAPTERED LAW  EXISTING LAW; NOT CHANGED  OPERATIVE SECTIONS  NOT OPERATIVE (see SB 1235 Sec. 19)  REPEALED PER SB 1235 Sec. 19

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<b>16151(a)</b>		As used in this part, commencing January 1, 2018, “ammunition vendor” means any person, firm, corporation, or other business enterprise that holds a current ammunition vendor license issued pursuant to Section 30385.	As used in this part, commencing January 1, 2018, “ammunition vendor” means any person, firm, corporation, or other business enterprise that holds a current ammunition vendor license issued pursuant to Section 30385.
<b>16151(b)</b>		Commencing January 1, 2018, a firearms dealer licensed pursuant to Sections 26700 to 26915, inclusive, shall automatically be deemed a licensed ammunition vendor, provided the dealer complies with the requirements of Articles 2 (commencing with Section 30300) and 3 (commencing with Section 30342) of Chapter 1 of Division 10 of Title 4 of this part.	Commencing January 1, 2018, a firearms dealer licensed pursuant to Sections 26700 to 26915, inclusive, shall automatically be deemed a licensed ammunition vendor, provided the dealer complies with the requirements of Articles 2 (commencing with Section 30300) and 3 (commencing with Section 30342) of Chapter 1 of Division 10 of Title 4.
	SEC. 4. Section 16650 of the Penal Code is repealed.		
	SEC. 5. Section 16662 of the Penal Code is repealed.	Section 16662 of the Penal Code is repealed.	
	SEC. 6. Section 17315 of the Penal Code is amended to read:	Section 17315 of the Penal Code is amended to read:	
<b>17315</b>	As used in Article 2 (commencing with Section 30300), Article 3 (commencing with Section 30345), Article 4 (commencing with Section 30355), and Article 5 (commencing with Section 30360) of Chapter 1 of Division 10 of Title 4, “vendor” means an ammunition vendor.	As used in Articles 2 through 5 of Chapter 1 of Division 10 of Title 4, “vendor” means an ammunition vendor.	As used in Articles 2 through 5 of Chapter 1 of Division 10 of Title 4, “vendor” means an ammunition vendor.
		SEC. 7. Firearms Dealers. Sections 26885 and 26915 of the Penal Code are hereby amended. Section 26885 of the Penal Code is amended to read:	
<b>26885(a)</b>		Except as provided in subdivisions (b) and (c) of Section 26805, all firearms that are in the inventory of a licensee shall be kept within the licensed location.	Except as provided in subdivisions (b) and (c) of Section 26805, all firearms that are in the inventory of a licensee shall be kept within the licensed location.
<b>26885(b)</b>		Within 48 hours of discovery, a licensee shall report the loss or theft of any of the following items to the appropriate law enforcement agency in the city, county, or city and county where the licensee’s business premises are located:	Within 48 hours of discovery, a licensee shall report the loss or theft of any of the following items to the appropriate law enforcement agency in the city, county, or city and county where the licensee’s business premises are located:
<b>26885(b)(1)</b>		Any firearm or ammunition that is merchandise of the licensee.	Any firearm or ammunition that is merchandise of the licensee.
<b>26885(b)(2)</b>		Any firearm or ammunition that the licensee takes possession of pursuant to Chapter 5 (commencing with Section 28050), or pursuant to Section 30312.	Any firearm or ammunition that the licensee takes possession of pursuant to Chapter 5 (commencing with Section 28050), or pursuant to Section 30312.
<b>26885(b)(3)</b>		Any firearm or ammunition kept at the licensee’s place of business.	Any firearm or ammunition kept at the licensee’s place of business.
		Section 26915 of the Penal Code is amended to read:	

LEGEND:   CHAPTERED LAW   EXISTING LAW; NOT CHANGED   OPERATIVE SECTIONS   NOT OPERATIVE (see SB 1235 Sec. 19)   REPEALED PER SB 1235 Sec. 19

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<b>26915(a)</b>		Commencing January 1, 2018, a firearms dealer shall require any agent or employee who handles, sells, or delivers firearms to obtain and provide to the dealer a certificate of eligibility from the Department of Justice pursuant to Section 26710. On the application for the certificate, the agent or employee shall provide the name and California firearms dealer number of the firearms dealer with whom the person is employed.	Commencing January 1, 2018, a firearms dealer shall require any agent or employee who handles, sells, or delivers firearms to obtain and provide to the dealer a certificate of eligibility from the Department of Justice pursuant to Section 26710. On the application for the certificate, the agent or employee shall provide the name and California firearms dealer number of the firearms dealer with whom the person is employed.
<b>26915(b)</b>		The department shall notify the firearms dealer in the event that the agent or employee who has a certificate of eligibility is or becomes prohibited from possessing firearms.	The department shall notify the firearms dealer in the event that the agent or employee who has a certificate of eligibility is or becomes prohibited from possessing firearms.
<b>26915(c)</b>		If the local jurisdiction requires a background check of the agents or employees of a firearms dealer, the agent or employee shall obtain a certificate of eligibility pursuant to subdivision (a).	If the local jurisdiction requires a background check of the agents or employees of a firearms dealer, the agent or employee shall obtain a certificate of eligibility pursuant to subdivision (a).
<b>26915(d)(1)</b>		Nothing in this section shall be construed to preclude a local jurisdiction from conducting an additional background check pursuant to Section 11105. The local jurisdiction may not charge a fee for the additional criminal history check.	Nothing in this section shall be construed to preclude a local jurisdiction from conducting an additional background check pursuant to Section 11105. The local jurisdiction may not charge a fee for the additional criminal history check.
<b>26915(d)(2)</b>		Nothing in this section shall be construed to preclude a local jurisdiction from prohibiting employment based on criminal history that does not appear as part of obtaining a certificate of eligibility.	Nothing in this section shall be construed to preclude a local jurisdiction from prohibiting employment based on criminal history that does not appear as part of obtaining a certificate of eligibility.
<b>26915(e)</b>		The licensee shall prohibit any agent who the licensee knows or reasonably should know is within a class of persons prohibited from possessing firearms pursuant to Chapter 2 (commencing with Section 29800) or Chapter 3 (commencing with Section 29900) of Division 9 of this title, or Section 8100 or 8103 of the Welfare and Institutions Code, from coming into contact with any firearms that is not secured and from accessing any key, combination, code, or other means to open any of the locking devices in subdivision (g).	The licensee shall prohibit any agent who the licensee knows or reasonably should know is within a class of persons prohibited from possessing firearms pursuant to Chapter 2 (commencing with Section 29800) or Chapter 3 (commencing with Section 29900) of Division 9 of this title, or Section 8100 or 8103 of the Welfare and Institutions Code, from coming into contact with any firearm that is not secured and from accessing any key, combination, code, or other means to open any of the locking devices described in subdivision (g).
<b>26915(f)</b>		Nothing in this section shall be construed as preventing a local government from enacting an ordinance imposing additional conditions on licensees with regard to agents or employees.	Nothing in this section shall be construed as preventing a local government from enacting an ordinance imposing additional conditions on licensees with regard to agents or employees.
<b>26915(g)</b>		For purposes of this article, "secured" means a firearm that is made inoperable in one or more of the following ways:	For purposes of this article, "secured" means a firearm that is made inoperable in one or more of the following ways:
<b>26915(g)(1)</b>		The firearm is inoperable because it is secured by a firearm safety device listed on the department's roster of approved firearm safety devices pursuant to subdivision (d) of Section 23655.	The firearm is inoperable because it is secured by a firearm safety device listed on the department's roster of approved firearm safety devices pursuant to subdivision (d) of Section 23655.
<b>26915(g)(2)</b>		The firearm is stored in a locked gun safe or long-gun safe that meets the standards for department-approved gun safes set forth in Section 23650.	The firearm is stored in a locked gun safe or long-gun safe that meets the standards for department-approved gun safes set forth in Section 23650.

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<b>26915(g)(3)</b>		The firearm is stored in a distinct locked room or area in the building that is used to store firearms, which can only be unlocked by a key, a combination, or similar means.	The firearm is stored in a distinct locked room or area in the building that is used to store firearms, which can only be unlocked by a key, a combination, or similar means.
<b>26915(g)(4)</b>		The firearm is secured with a hardened steel rod or cable that is at least one-eighth of an inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a boltcutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.	The firearm is secured with a hardened steel rod or cable that is at least one-eighth of an inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a boltcutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.
	SEC. 7. Section 30000 of the Penal Code is amended to read:		
<b>30000(a)</b>	The Attorney General shall establish and maintain an online database to be known as the Prohibited Armed Persons File. The purpose of the file is to cross-reference persons who have ownership or possession of a firearm on or after January 1, 1996, as indicated by a record in the Consolidated Firearms Information System, and who, subsequent to the date of that ownership or possession of a firearm, fall within a class of persons who are prohibited from owning or possessing a firearm.		The Attorney General shall establish and maintain an online database to be known as the Prohibited Armed Persons File. The purpose of the file is to cross-reference persons who have ownership or possession of a firearm on or after January 1, 1996, as indicated by a record in the Consolidated Firearms Information System, and who, subsequent to the date of that ownership or possession of a firearm, fall within a class of persons who are prohibited from owning or possessing a firearm.
<b>30000(b)</b>	Commencing July 1, 2019, the file shall also be used to cross-reference persons who attempt to acquire ammunition to determine if those persons fall within a class of persons who are prohibited from owning or possessing ammunition.		The information contained in the Prohibited Armed Persons File shall only be available to those entities specified in, and pursuant to, subdivision (b) or (c) of Section 11105, through the California Law Enforcement Telecommunications System, for the purpose of determining if persons are armed and prohibited from possessing firearms.
<b>30000(c)</b>	The information contained in the Prohibited Armed Persons File shall only be available to those entities specified in, and pursuant to, subdivision (b) or (c) of Section 11105, through the California Law Enforcement Telecommunications System, for the purpose of determining if persons are armed and prohibited from possessing firearms.		
		SEC. 8 (editor's note - skips over Sec 7; see chaptering info at top)	
	SEC. 8. Section 30306 of the Penal Code is amended to read:	Section 30306 of the Penal Code is amended to read:	
<b>30306(a)</b>	Any person, corporation, firm, or other business enterprise who supplies, delivers, sells, or gives possession or control of, any ammunition to any person who he or she knows or using reasonable care should know is prohibited from owning, possessing, or having under custody or control, any ammunition or reloaded ammunition pursuant to subdivision (a) or (b) of Section 30305, is guilty of a misdemeanor, punishable by imprisonment in a county jail not exceeding one year, or a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.	Any person, corporation, firm, or other business enterprise who supplies, delivers, sells, or gives possession or control of, any ammunition to any person who he or she knows or using reasonable care should know is prohibited from owning, possessing, or having under custody or control, any ammunition or reloaded ammunition pursuant to subdivision (a) or (b) of Section 30305, is guilty of a misdemeanor, punishable by imprisonment in a county jail not exceeding one year, or a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.	Any person, corporation, firm, or other business enterprise who supplies, delivers, sells, or gives possession or control of, any ammunition to any person who he or she knows or using reasonable care should know is prohibited from owning, possessing, or having under custody or control, any ammunition or reloaded ammunition pursuant to subdivision (a) or (b) of Section 30305, is guilty of a misdemeanor, punishable by imprisonment in a county jail not exceeding one year, or a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.

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<b>30306(b)</b>	Any person, corporation, firm, or other business enterprise who supplies, delivers, sells, or gives possession or control of ammunition to a person who the person, corporation, firm, or other business enterprise knows or has cause to believe is not the actual purchaser or transferee of the ammunition, with knowledge or cause to believe that the ammunition is to be subsequently sold or transferred to a person who is prohibited from owning, possessing, or having under custody or control any ammunition or reloaded ammunition pursuant to subdivision (a) or (b) of Section 30305, is guilty of a misdemeanor, punishable by imprisonment in a county jail not exceeding one year or a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.	Any person, corporation, firm, or other business enterprise who supplies, delivers, sells, or gives possession or control of, any ammunition to any person whom the person, corporation, firm, or other business enterprise knows or has cause to believe is not the actual purchaser or transferee of the ammunition, with knowledge or cause to believe that the ammunition is to be subsequently sold or transferred to a person who is prohibited from owning, possessing, or having under custody or control any ammunition or reloaded ammunition pursuant to subdivision (a) or (b) of Section 30305, is guilty of a misdemeanor, punishable by imprisonment in a county jail not exceeding one year, or a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.	Any person, corporation, firm, or other business enterprise who supplies, delivers, sells, or gives possession or control of, any ammunition to any person whom the person, corporation, firm, or other business enterprise knows or has cause to believe is not the actual purchaser or transferee of the ammunition, with knowledge or cause to believe that the ammunition is to be subsequently sold or transferred to a person who is prohibited from owning, possessing, or having under custody or control any ammunition or reloaded ammunition pursuant to subdivision (a) or (b) of Section 30305, is guilty of a misdemeanor, punishable by imprisonment in a county jail not exceeding one year, or a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.
<b>30306(c)</b>	The provisions of this section are cumulative and shall not be construed as restricting the application of any other law. However, an act or omission punishable in different ways by this section and another provision of law shall not be punished under more than one provision.	The provisions of this section are cumulative and shall not be construed as restricting the application of any other law. However, an act or omission punishable in different ways by this section and another provision of law shall not be punished under more than one provision.	The provisions of this section are cumulative and shall not be construed as restricting the application of any other law. However, an act or omission punishable in different ways by this section and another provision of law shall not be punished under more than one provision.
	SEC. 9. Section 30312 of the Penal Code is repealed.	Section 30312 of the Penal Code is amended to read:	
<b>30312(a)(1)</b>		Commencing January 1, 2018, the sale of ammunition by any party shall be conducted by or processed through a licensed ammunition vendor.	Commencing January 1, 2018, the sale of ammunition by any party shall be conducted by or processed through a licensed ammunition vendor.
<b>30312(a)(2)</b>		When neither party to an ammunition sale is a licensed ammunition vendor, the seller shall deliver the ammunition to a vendor to process the transaction. The ammunition vendor shall then promptly and properly deliver the ammunition to the purchaser, if the sale is not prohibited, as if the ammunition were the vendor's own merchandise. If the ammunition vendor cannot legally deliver the ammunition to the purchaser, the vendor shall forthwith return the ammunition to the seller. The ammunition vendor may charge the purchaser an administrative fee to process the transaction, in an amount to be set by the Department of Justice, in addition to any applicable fees that may be charged pursuant to the provisions of this title.	When neither party to an ammunition sale is a licensed ammunition vendor, the seller shall deliver the ammunition to a vendor to process the transaction. The ammunition vendor shall then promptly and properly deliver the ammunition to the purchaser, if the sale is not prohibited, as if the ammunition were the vendor's own merchandise. If the ammunition vendor cannot legally deliver the ammunition to the purchaser, the vendor shall forthwith return the ammunition to the seller. The ammunition vendor may charge the purchaser an administrative fee to process the transaction, in an amount to be set by the Department of Justice, in addition to any applicable fees that may be charged pursuant to the provisions of this title.
<b>30312(b)</b>		Commencing January 1, 2018, the sale, delivery or transfer of ownership of handgun ammunition by any party may only occur in a face-to-face transaction with the seller, deliverer or transferor provided, however, that ammunition may be purchased or acquired over the Internet or through other means of remote ordering if a licensed ammunition vendor initially receives the ammunition and processes the transaction in compliance with this section and Article 3 (commencing with Section 30342) of Chapter 1 of Division 10 of Title 4 of this part.	Commencing January 1, 2018, the sale, delivery or transfer of ownership of ammunition by any party may only occur in a face-to-face transaction with the seller, deliverer, or transferor, provided, however, that ammunition may be purchased or acquired over the Internet or through other means of remote ordering if a licensed ammunition vendor initially receives the ammunition and processes the transaction in compliance with this section and Article 3 (commencing with Section 30342) of Chapter 1 of Division 10 of Title 4 of this part.

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<b>30312(c)</b>		Subdivisions (a) and (b) shall not apply to the sale, delivery, or transfer of handgun ammunition to any of the following:	Subdivisions (a) and (b) shall not apply to the sale, delivery, or transfer of ammunition to any of the following:
<b>30312(c)(1)</b>		An authorized law enforcement representative of a city, county, city and county, or state or federal government, if the sale, delivery, or transfer is for exclusive use by that government agency and, prior to the sale, delivery, or transfer of the ammunition, written authorization from the head of the agency employing the purchaser or transferee is obtained, identifying the employee as an individual authorized to conduct the transaction, and authorizing the transaction for the exclusive use of the agency employing the individual.	An authorized law enforcement representative of a city, county, city and county, or state or federal government, if the sale, delivery, or transfer is for exclusive use by that government agency and, prior to the sale, delivery, or transfer of the ammunition, written authorization from the head of the agency employing the purchaser or transferee is obtained, identifying the employee as an individual authorized to conduct the transaction, and authorizing the transaction for the exclusive use of the agency employing the individual.
<b>30312(c)(2)</b>		A sworn peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, or sworn federal law enforcement officer, who is authorized to carry a firearm in the course and scope of the officer's duties.	A sworn peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, or sworn federal law enforcement officer, who is authorized to carry a firearm in the course and scope of the officer's duties.
<b>30312(c)(3)</b>		An importer or manufacturer of ammunition or firearms who is licensed to engage in business pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.	An importer or manufacturer of ammunition or firearms who is licensed to engage in business pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.
<b>30312(c)(4)</b>		A person who is on the centralized list of exempted federal firearms licensees maintained by the Department of Justice pursuant to Article 6 (commencing with Section 28450) of Chapter 6 of Division 6 of this title.	A person who is on the centralized list of exempted federal firearms licensees maintained by the Department of Justice pursuant to Article 6 (commencing with Section 28450) of Chapter 6 of Division 6 of this title.
<b>30312(c)(5)</b>		A person whose licensed premises are outside this state and who is licensed as a dealer or collector of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.	A person whose licensed premises are outside this state and who is licensed as a dealer or collector of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.
<b>30312(c)(6)</b>		A person who is licensed as a collector of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, whose licensed premises are within this state, and who has a current certificate of eligibility issued by the Department of Justice pursuant to Section 26710.	A person who is licensed as a collector of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, whose licensed premises are within this state, and who has a current certificate of eligibility issued by the Department of Justice pursuant to Section 26710.
<b>30312(c)(7)</b>		An ammunition vendor.	An ammunition vendor.
<b>30312(c)(8)</b>		A consultant-evaluator.	A consultant-evaluator.
<b>30312(c)(9)</b>		A person who purchases or receives ammunition at a target facility holding a business or other regulatory license, provided that the ammunition is at all times kept within the facility's premises.	A person who purchases or receives ammunition at a target facility holding a business or other regulatory license, provided that the ammunition is at all times kept within the facility's premises.
<b>30312(c)(10)</b>		A person who purchases or receives ammunition from a spouse, registered domestic partner, or immediate family member as defined in Section 16720.	A person who purchases or receives ammunition from a spouse, registered domestic partner, or immediate family member as defined in Section 16720.

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30312(c)(d)		A violation of this section is a misdemeanor.	A violation of this section is a misdemeanor.
		Section 30314 is added to the Penal Code, to read:	
30314(a)		Commencing January 1, 2018, a resident of this state shall not bring or transport into this state any ammunition that he or she purchased or otherwise obtained from outside of this state unless he or she first has that ammunition delivered to a licensed ammunition vendor for delivery to that resident pursuant to the procedures set forth in Section 30312.	Commencing January 1, 2018, a resident of this state shall not bring or transport into this state any ammunition that he or she purchased or otherwise obtained from outside of this state unless he or she first has that ammunition delivered to a licensed ammunition vendor for delivery to that resident pursuant to the procedures set forth in Section 30312.
30314(b)		Subdivision (a) does not apply to any of the following:	Subdivision (a) does not apply to any of the following:
30314(b)(1)		An ammunition vendor.	An ammunition vendor.
30314(b)(2)		A sworn peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, or sworn federal law enforcement officer, who is authorized to carry a firearm in the course and scope of the officer's duties.	A sworn peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, or sworn federal law enforcement officer, who is authorized to carry a firearm in the course and scope of the officer's duties.
30314(b)(3)		An importer or manufacturer of ammunition or firearms who is licensed to engage in business pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.	An importer or manufacturer of ammunition or firearms who is licensed to engage in business pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.
30314(b)(4)		A person who is on the centralized list of exempted federal firearms licensees maintained by the Department of Justice pursuant to Article 6 (commencing with Section 28450) of Chapter 6 of Division 6 of this title.	A person who is on the centralized list of exempted federal firearms licensees maintained by the Department of Justice pursuant to Article 6 (commencing with Section 28450) of Chapter 6 of Division 6.
30314(b)(5)		A person who is licensed as a collector of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, whose licensed premises are within this state, and who has a current certificate of eligibility issued by the Department of Justice pursuant to Section 26710.	A person who is licensed as a collector of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, whose licensed premises are within this state, and who has a current certificate of eligibility issued by the Department of Justice pursuant to Section 26710.
30314(b)(6)		A person who acquired the ammunition from a spouse, registered domestic partner, or immediate family member as defined in Section 16720.	A person who acquired the ammunition from a spouse, registered domestic partner, or immediate family member as defined in Section 16720.
30314(c)		A violation of this section is an infraction for any first time offense, and either an infraction or a misdemeanor for any subsequent offense.	A violation of this section is an infraction for any first time offense, and either an infraction or a misdemeanor for any subsequent offense.
		The heading of Article 3 (commencing with Section 30342) of Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal Code is amended to read:	
		ARTICLE 3. Ammunition Vendors [3034 - 30365]	
		Section 30342 is added to the Penal Code, to read:	

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<b>30342(a)</b>		Commencing January 1, 2018, a valid ammunition vendor license shall be required for any person, firm, corporation, or other business enterprise to sell more than 500 rounds of ammunition in any 30-day period.	Commencing January 1, 2018, a valid ammunition vendor license shall be required for any person, firm, corporation, or other business enterprise to sell more than 500 rounds of ammunition in any 30-day period.
<b>30342(b)</b>		A violation of this section is a misdemeanor.	A violation of this section is a misdemeanor.
	SEC. 10. Article 3 (commencing with Section 30345) of Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal Code is repealed.		
	SEC. 11. Article 3 (commencing with Section 30345) is added to Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal Code, to read:		
	Article 3. Ammunition Vendor License		
<b>30345</b>			A vendor shall comply with all of the conditions, requirements, and prohibitions stated in this article.
<b>30345(a)</b>	Commencing January 1, 2018, only an ammunition vendor who is licensed by the Department of Justice shall be authorized to sell ammunition in this state, except as provided by Article 5 (commencing with Section 30360).		
<b>30345(b)</b>	Subdivision (a) does not apply to the sale of ammunition by any of the following:		
<b>30345(b)(1)</b>	A commercial hunting club, as defined in Section 3240.5 of the Fish and Game Code, provided the ammunition is used and consumed on the licensed premises while engaged in lawful hunting activity.		
<b>30345(b)(2)</b>	A domesticated game bird hunting club, pursuant to Section 3270 of the Fish and Game Code, provided the ammunition is used and consumed on the licensed premises while engaged in lawful hunting activity.		
<b>30345(b)(3)</b>	A domesticated migratory game bird shooting club, pursuant to Article 4 (commencing with Section 3300) of Chapter 2 of Part 1 of Division 4 of the Fish and Game Code, provided the ammunition is used and consumed on the licensed premises while engaged in lawful hunting activity.		
<b>30345(b)(4)</b>	A nonprofit mutual or public benefit corporation organized pursuant to the Corporations Code that engages in recreational shooting and lawful hunting activity provided that the ammunition is used and consumed during the shooting or hunting event conducted by that nonprofit or public benefit corporation.		
<b>30345(b)(5)</b>	A target facility that holds a business or regulatory license provided that the ammunition is at all times kept within the facility's premises and used on the premises.		

LEGEND:  CHAPTERED LAW  EXISTING LAW; NOT CHANGED  OPERATIVE SECTIONS  NOT OPERATIVE (see SB 1235 Sec. 19)  REPEALED PER SB 1235 Sec. 19



# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
<b>30345(b)(6)</b>	A person who sells no more than 100 rounds of ammunition to one vendor in one month or cumulatively sells no more than 250 rounds per year to vendors in this state.		
<b>30345(c)</b>	The Department of Justice is authorized to issue ammunition vendor licenses pursuant to this article. The department shall, commencing July 1, 2017, accept applications for ammunition vendor licenses. The department shall issue a license or deny the application for a license within 60 days of receipt of the application in the first two years of implementation, and within 30 days thereafter. If the application is denied, the department shall inform the applicant of the reason for denial in writing.		
<b>30345(d)</b>	The ammunition vendor license shall be issued in a form prescribed by the Attorney General and shall be valid for a period of one year. The license shall allow the licensee to sell ammunition from a fixed location and at any place set forth in subdivision (b) of Section 30365.		
<b>30346(a)</b>	The department may charge ammunition vendor license applicants a fee sufficient to cover the reasonable costs of issuing a certificate of eligibility, as described, except for those persons or entities described in subdivision (d) of Section 30347.		
<b>30346(b)</b>	The fees received by the department pursuant to this article shall be deposited in the Ammunition Special Account, which is hereby created. The revenue in the fund shall be available, upon appropriation by the Legislature, for use by the Department of Justice for the purpose of implementing and enforcing the provisions of this article, Article 4 (commencing with Section 30355) and Article 5 (commencing with Section 30360).		
		Section 30347 of the Penal Code is amended to read:	
<b>30347(a)</b>	The department is authorized to issue ammunition vendor licenses to ammunition vendors who the department has determined are not prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm and who have a certificate of eligibility issued by the department.	An ammunition vendor shall require any agent or employee who handles, sells, delivers, or has under his or her custody or control any ammunition, to obtain and provide to the vendor a certificate of eligibility from the Department of Justice issued pursuant to Section 26710. On the application for the certificate, the agent or employee shall provide the name and address of the ammunition vendor with whom the person is employed, or the name and California firearms dealer number of the ammunition vendor if applicable.	An ammunition vendor shall require any agent or employee who handles, sells, delivers, or has under his or her custody or control any ammunition, to obtain and provide to the vendor a certificate of eligibility from the Department of Justice issued pursuant to Section 26710. On the application for the certificate, the agent or employee shall provide the name and address of the ammunition vendor with whom the person is employed, or the name and California firearms dealer number of the ammunition vendor if applicable.

LEGEND:   CHAPTERED LAW   EXISTING LAW; NOT CHANGED   OPERATIVE SECTIONS   NOT OPERATIVE (see SB 1235 Sec. 19)   REPEALED PER SB 1235 Sec. 19

# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
<b>30347(b)</b>	The department shall require any agent or employee of a vendor who handles, sells, or delivers ammunition to obtain and provide to the ammunition vendor a certificate of eligibility from the Department of Justice pursuant to Section 26710. On the application for the certificate, the agent or employee shall provide the name and California ammunition vendor number of the vendor with whom the person is employed.	The Department shall notify the ammunition vendor in the event that the agent or employee who has a certificate of eligibility is or becomes prohibited from possessing ammunition under Section 30305(a) or federal law .	The department shall notify the ammunition vendor in the event that the agent or employee who has a certificate of eligibility is or becomes prohibited from possessing ammunition under subdivision (a) of Section 30305 or federal law.
<b>30347(c)</b>	In the case of an entity other than a natural person, the department shall issue the license to the business entity, pursuant to the requirements in subdivisions (a) and (b).	An ammunition vendor shall not permit any agent or employee who the vendor knows or reasonably should know is a person described in Chapter 2 (commencing with Section 29800) or Chapter 3 (commencing with Section 29900) of Division 9 of this title or Section 8100 or 8103 of the Welfare and Institutions Code to handle, sell, or have under his or her custody or control, any ammunition in the course and scope of employment.	An ammunition vendor shall not permit any agent or employee who the vendor knows or reasonably should know is a person described in Chapter 2 (commencing with Section 29800) or Chapter 3 (commencing with Section 29900) of Division 9 of this title or Section 8100 or 8103 of the Welfare and Institutions Code to handle, sell, deliver, or have under his or her custody or control, any ammunition in the course and scope of employment.
<b>30347(d)</b>	The department shall, upon request and in a manner prescribed by the department, issue ammunition vendor licenses to the following:		
<b>30347(d)(1)</b>	A firearms dealer licensed pursuant to Sections 26700 to 26915, inclusive.		
<b>30347(d)(2)</b>	A person who is on the centralized list of federal firearms licensees maintained by the department pursuant to Article 6 (commencing with Section 28450) of Chapter 6 of Division 6.		
<b>30347(d)(3)</b>	A gunsmith as defined in Section 16630.		
<b>30347(d)(4)</b>	A wholesaler as defined in Section 17340.		
<b>30347(d)(5)</b>	A manufacturer or importer of firearms or ammunition licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.		
<b>30347(d)</b>	The department shall, upon request and in a manner prescribed by the department, issue ammunition vendor licenses to the following:		
<b>30347(e)</b>	The department shall keep a registry of all licensed ammunition vendors.		
<b>30347(f)</b>	The department shall revoke the license of any ammunition vendor who violates this article, Article 4 (commencing with Section 30355), or Article 5 (commencing with Section 30360) in any combination three times. The ammunition vendor shall thereafter be permanently ineligible for an ammunition vendor license.		
		Section 30348 is added to the Penal Code, to read:	
<b>30348(a)</b>		Except as provided in subdivision (b), the sale of ammunition by a licensed vendor shall be conducted at the location specified in the license.	Except as provided in subdivision (b), the sale of ammunition by a licensed vendor shall be conducted at the location specified in the license.

LEGEND:  CHAPTERED LAW  EXISTING LAW; NOT CHANGED  OPERATIVE SECTIONS  NOT OPERATIVE (see SB 1235 Sec. 19)  REPEALED PER SB 1235 Sec. 19

# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
<b>30348(b)</b>		A vendor may sell ammunition at a gun show or event if the gun show or event is not conducted from any motorized or towed vehicle.	A vendor may sell ammunition at a gun show or event if the gun show or event is not conducted from any motorized or towed vehicle.
<b>30348(c)</b>		For purposes of this section, “gun show or event” means a function sponsored by any national, state, or local organization, devoted to the collection, competitive use, or other sporting use of firearms, or an organization or association that sponsors functions devoted to the collection, competitive use, or other sporting use of firearms in the community.	For purposes of this section, “gun show or event” means a function sponsored by any national, state, or local organization, devoted to the collection, competitive use, or other sporting use of firearms, or an organization or association that sponsors functions devoted to the collection, competitive use, or other sporting use of firearms in the community.
<b>30348(d)</b>		Sales of ammunition at a gun show or event shall comply with all applicable laws including Sections 30347, 30350, 30352, and 30360.	Sales of ammunition at a gun show or event shall comply with all applicable laws including Sections 30347, 30350, 30352, and 30360.
		Section 30350 of the Penal Code is amended to read:	
<b>30350</b>		An ammunition vendor shall not sell or otherwise transfer ownership of, offer for sale or otherwise offer to transfer ownership of, or display for sale or display for transfer of ownership of any ammunition in a manner that allows that ammunition to be accessible to a purchaser or transferee without the assistance of the vendor or an employee of the vendor.	An ammunition vendor shall not sell or otherwise transfer ownership of, offer for sale or otherwise offer to transfer ownership of, or display for sale or display for transfer of ownership of any ammunition in a manner that allows that ammunition to be accessible to a purchaser or transferee without the assistance of the vendor or an employee of the vendor.
	SEC. 12. Section 30352 of the Penal Code, as proposed to be amended by the Safety for All Act of 2016 at the November 8, 2016, statewide general election, is amended to read: <sup>(2)</sup>	Section 30352 of the Penal Code is amended to read:	
<b>30352(a)</b>	Commencing July 1, 2019, an ammunition vendor shall not sell or otherwise transfer ownership of any ammunition without, at the time of delivery, legibly recording the following information on a form to be prescribed by the Department of Justice:	Commencing July 1, 2019, an ammunition vendor shall not sell or otherwise transfer ownership of any handgun ammunition without, at the time of delivery, legibly recording the following information on a form to be prescribed by the Department of Justice:	Commencing July 1, 2019, an ammunition vendor shall not sell or otherwise transfer ownership of any ammunition without, at the time of delivery, legibly recording the following information on a form to be prescribed by the Department of Justice:
<b>30352(a)(1)</b>	The date of the sale or other transfer.	The date of the sale or other transfer.	The date of the sale or other transfer.
<b>30352(a)(2)</b>	The purchaser’s or transferee’s driver’s license or other identification number and the state in which it was issued.	The purchaser’s or transferee’s driver’s license or other identification number and the state in which it was issued.	The purchaser’s or transferee’s driver’s license or other identification number and the state in which it was issued.
<b>30352(a)(3)</b>	The brand, type, and amount of ammunition sold or otherwise transferred.	The brand, type, and amount of ammunition sold or otherwise transferred.	The brand, type, and amount of ammunition sold or otherwise transferred.
<b>30352(a)(4)</b>	The purchaser’s or transferee’s full name and signature.	The purchaser’s or transferee’s full name and signature.	The purchaser’s or transferee’s full name and signature.
<b>30352(a)(5)</b>	The name of the salesperson who processed the sale or other transaction.	The name of the salesperson who processed the sale or other transaction.	The name of the salesperson who processed the sale or other transaction.
<b>30352(a)(6)</b>	The purchaser’s or transferee’s full residential address and telephone number.	The purchaser’s or transferee’s full residential address and telephone number.	The purchaser’s or transferee’s full residential address and telephone number.
<b>30352(a)(7)</b>	The purchaser’s or transferee’s date of birth.	The purchaser’s or transferee’s date of birth.	The purchaser’s or transferee’s date of birth.

LEGEND:   CHAPTERED LAW   EXISTING LAW; NOT CHANGED   OPERATIVE SECTIONS   NOT OPERATIVE (see SB 1235 Sec. 19)   REPEALED PER SB 1235 Sec. 19

# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
<b>30352(b)</b>	Commencing July 1, 2019, an ammunition vendor shall electronically submit to the department the information required by subdivision (a) for all sales and transfers of ownership of ammunition. The department shall retain this information in a database to be known as the Ammunition Purchase Records File. This information shall remain confidential and may be used by the department and those entities specified in, and pursuant to, subdivision (b) or (c) of Section 11105, through the California Law Enforcement Telecommunications System, only for law enforcement purposes. The ammunition vendor shall not use, sell, disclose, or share the information for any other purpose other than the submission required by this subdivision without the express written consent of the purchaser or transferee.	Commencing July 1, 2019, an ammunition vendor shall electronically submit to the Department the information required by subdivision (a) for all sales and transfers of ownership of ammunition. The Department shall retain this information in a database to be known as the Ammunition Purchase Records File. This information shall remain confidential and may be used by the Department and those entities specified in, and pursuant to, subdivision (b) or (c) of Section 11105, through the California Law Enforcement Telecommunications System, only for law enforcement purposes. The ammunition vendor shall not use, sell, disclose, or share such information for any other purpose other than the submission required by this subdivision without the express written consent of the purchaser or transferee.	Commencing July 1, 2019, an ammunition vendor shall electronically submit to the department the information required by subdivision (a) for all sales and transfers of ownership of ammunition. The department shall retain this information in a database to be known as the Ammunition Purchase Records File. This information shall remain confidential and may be used by the department and those entities specified in, and pursuant to, subdivision (b) or (c) of Section 11105, through the California Law Enforcement Telecommunications System, only for law enforcement purposes. The ammunition vendor shall not use, sell, disclose, or share the information for any other purpose other than the submission required by this subdivision without the express written consent of the purchaser or transferee.
<b>30352(c)</b>	Commencing on July 1, 2019, only those persons listed in this subdivision, or those persons or entities listed in subdivision (e), shall be authorized to purchase ammunition. Prior to delivering any ammunition, an ammunition vendor shall require bona fide evidence of identity to verify that the person who is receiving delivery of the ammunition is a person or entity listed in subdivision (e) or one of the following:	Commencing on July 1, 2019, only those persons listed in this subdivision, or those persons or entities listed in subdivision (e), shall be authorized to purchase ammunition. Prior to delivering any ammunition, an ammunition vendor shall require bona fide evidence of identity to verify that the person who is receiving delivery of the ammunition is a person or entity listed in subdivision (e) or one of the following:	Commencing on July 1, 2019, only those persons listed in this subdivision, or those persons or entities listed in subdivision (e), shall be authorized to purchase ammunition. Prior to delivering any ammunition, an ammunition vendor shall require bona fide evidence of identity to verify that the person who is receiving delivery of the ammunition is a person or entity listed in subdivision (e) or one of the following:
<b>30352(c)(1)</b>	A person authorized to purchase ammunition pursuant to Section 30370.	A person authorized to purchase ammunition pursuant to Section 30370.	A person authorized to purchase ammunition pursuant to Section 30370.
<b>30352(c)(2)</b>	A person who was approved by the department to receive a firearm from the ammunition vendor, pursuant to Section 28220, if that vendor is a licensed firearms dealer, and the ammunition is delivered to the person in the same transaction as the firearm.	A person who was approved by the Department to receive a firearm from the ammunition vendor, pursuant to Section 28220, if that vendor is a licensed firearms dealer, and the ammunition is delivered to the person in the same transaction as the firearm.	A person who was approved by the department to receive a firearm from the ammunition vendor, pursuant to Section 28220, if that vendor is a licensed firearms dealer, and the ammunition is delivered to the person in the same transaction as the firearm.
<b>30352(d)</b>	Commencing July 1, 2019, the ammunition vendor shall verify with the department, in a manner prescribed by the department, that the person is authorized to purchase ammunition. If the person is not listed as an authorized ammunition purchaser, the vendor shall deny the sale or transfer.	Commencing July 1, 2019, the ammunition vendor shall verify with the Department, in a manner prescribed by the Department, that the person is authorized to purchase ammunition by comparing the person's ammunition purchase authorization number to the centralized list of authorized ammunition purchasers. If the person is not listed as an authorized ammunition purchaser, the vendor shall deny the sale or transfer.	Commencing July 1, 2019, the ammunition vendor shall verify with the department, in a manner prescribed by the department, that the person is authorized to purchase ammunition. If the person is not listed as an authorized ammunition purchaser, the vendor shall deny the sale or transfer.
<b>30352(e)</b>	Subdivisions (a) and (d) shall not apply to sales or other transfers of ownership of ammunition by ammunition vendors to any of the following, if properly identified:	Subdivisions (a) and (d) shall not apply to sales or other transfers of ownership of ammunition by ammunition vendors to any of the following, if properly identified:	Subdivisions (a) and (d) shall not apply to sales or other transfers of ownership of ammunition by ammunition vendors to any of the following, if properly identified:
<b>30352(e)(1)</b>	An ammunition vendor.	An ammunition vendor.	An ammunition vendor.
<b>30352(e)(2)</b>	A person who is on the centralized list of exempted federal firearms licensees maintained by the department pursuant to Article 6 (commencing with Section 28450) of Chapter 6 of Division 6.	A person who is on the centralized list of exempted federal firearms licensees maintained by the department pursuant to Article 6 (commencing with Section 28450) of Chapter 6 of Division 6 of this title.	A person who is on the centralized list of exempted federal firearms licensees maintained by the department pursuant to Article 6 (commencing with Section 28450) of Chapter 6 of Division 6.

LEGEND:   CHAPTERED LAW   EXISTING LAW; NOT CHANGED   OPERATIVE SECTIONS   NOT OPERATIVE (see SB 1235 Sec. 19)   REPEALED PER SB 1235 Sec. 19

# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
<b>30352(e)(3)</b>	A person who purchases or receives ammunition at a target facility holding a business or other regulatory license, provided that the ammunition is at all times kept within the facility's premises.	A person who purchases or receives ammunition at a target facility holding a business or other regulatory license, provided that the ammunition is at all times kept within the facility's premises.	A person who purchases or receives ammunition at a target facility holding a business or other regulatory license, provided that the ammunition is at all times kept within the facility's premises.
<b>30352(e)(4)</b>	A gunsmith.	A gunsmith.	A gunsmith.
<b>30352(e)(5)</b>	A wholesaler.	A wholesaler.	A wholesaler.
<b>30352(e)(6)</b>	A manufacturer or importer of firearms or ammunition licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code, and the regulations issued pursuant thereto.	A manufacturer or importer of firearms or ammunition licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code, and the regulations issued pursuant thereto.	A manufacturer or importer of firearms or ammunition licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code, and the regulations issued pursuant thereto.
<b>30352(e)(7)</b>	An authorized law enforcement representative of a city, county, city and county, or state or federal government, if the sale or other transfer of ownership is for exclusive use by that government agency, and, prior to the sale, delivery, or transfer of the handgun ammunition, written authorization from the head of the agency authorizing the transaction is presented to the person from whom the purchase, delivery, or transfer is being made. Proper written authorization is defined as verifiable written certification from the head of the agency by which the purchaser, transferee, or person otherwise acquiring ownership is employed, identifying the employee as an individual authorized to conduct the transaction, and authorizing the transaction for the exclusive use of the agency by which that individual is employed.	An authorized law enforcement representative of a city, county, city and county, or state or federal government, if the sale or other transfer of ownership is for exclusive use by that government agency, and, prior to the sale, delivery, or transfer of the ammunition, written authorization from the head of the agency authorizing the transaction is presented to the person from whom the purchase, delivery, or transfer is being made. Proper written authorization is defined as verifiable written certification from the head of the agency by which the purchaser, transferee, or person otherwise acquiring ownership is employed, identifying the employee as an individual authorized to conduct the transaction, and authorizing the transaction for the exclusive use of the agency by which that individual is employed.	An authorized law enforcement representative of a city, county, city and county, or state or federal government, if the sale or other transfer of ownership is for exclusive use by that government agency, and, prior to the sale, delivery, or transfer of the handgun ammunition, written authorization from the head of the agency authorizing the transaction is presented to the person from whom the purchase, delivery, or transfer is being made. Proper written authorization is defined as verifiable written certification from the head of the agency by which the purchaser, transferee, or person otherwise acquiring ownership is employed, identifying the employee as an individual authorized to conduct the transaction, and authorizing the transaction for the exclusive use of the agency by which that individual is employed.
<b>30352(e)(8)(A)</b>	A properly identified sworn peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, or properly identified sworn federal law enforcement officer, who is authorized to carry a firearm in the course and scope of the officer's duties.	A properly identified sworn peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, or properly identified sworn federal law enforcement officer, who is authorized to carry a firearm in the course and scope of the officer's duties.	A properly identified sworn peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, or properly identified sworn federal law enforcement officer, who is authorized to carry a firearm in the course and scope of the officer's duties.
<b>30352(e)(8)(B)(i)</b>	Proper identification is defined as verifiable written certification from the head of the agency by which the purchaser or transferee is employed, identifying the purchaser or transferee as a full-time paid peace officer who is authorized to carry a firearm in the course and scope of the officer's duties.	Proper identification is defined as verifiable written certification from the head of the agency by which the purchaser or transferee is employed, identifying the purchaser or transferee as a full-time paid peace officer who is authorized to carry a firearm in the course and scope of the officer's duties.	Proper identification is defined as verifiable written certification from the head of the agency by which the purchaser or transferee is employed, identifying the purchaser or transferee as a full-time paid peace officer who is authorized to carry a firearm in the course and scope of the officer's duties.
<b>30352(e)(8)(B)(ii)</b>	The certification shall be delivered to the vendor at the time of purchase or transfer and the purchaser or transferee shall provide bona fide evidence of identity to verify that he or she is the person authorized in the certification.	The certification shall be delivered to the vendor at the time of purchase or transfer and the purchaser or transferee shall provide bona fide evidence of identity to verify that he or she is the person authorized in the certification.	The certification shall be delivered to the vendor at the time of purchase or transfer and the purchaser or transferee shall provide bona fide evidence of identity to verify that he or she is the person authorized in the certification.
<b>30352(e)(8)(B)(iii)</b>	The vendor shall keep the certification with the record of sale and submit the certification to the department.	The vendor shall keep the certification with the record of sale and submit the certification to the Department.	The vendor shall keep the certification with the record of sale and submit the certification to the department.
<b>30352(f)</b>	The department is authorized to adopt regulations to implement the provisions of this section.	The Department of Justice is authorized to adopt regulations to implement the provisions of this section.	The department is authorized to adopt regulations to implement the provisions of this section.

LEGEND:  CHAPTERED LAW  EXISTING LAW; NOT CHANGED  OPERATIVE SECTIONS  NOT OPERATIVE (see SB 1235 Sec. 19)  REPEALED PER SB 1235 Sec. 19



# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
	SEC. 13. Article 4 (commencing with Section 30355) is added to Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal Code, to read:		
	Article 4. Ammunition Purchase Authorization		
<b>30355</b>			Commencing February 1, 2011, the records required by this article shall be maintained on the premises of the vendor for a period of not less than five years from the date of the recorded transfer.
<b>30355(a)</b>	Any person who violates any provision of this article is guilty of a misdemeanor, punishable by imprisonment in a county jail not exceeding one year or a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.		
<b>30355(b)</b>	The provisions of this article are cumulative and shall not be construed as restricting the application of any other law. However, an act or omission punishable in different ways by different provisions of law shall not be punished under more than one provision.		
<b>30356(a)</b>	Commencing July 1, 2019, the department shall electronically approve the purchase or transfer of ammunition through a vendor, as defined in Section 16151, except as otherwise specified. This approval shall occur at the time of purchase or transfer, prior to the purchaser or transferee taking possession of the ammunition.		
<b>30356(b)</b>	To determine if the purchaser or transferee is eligible to purchase or possess ammunition, the department shall cross-reference the ammunition purchaser's or transferee's name, date of birth, current address, and driver's license or other government identification number, as described in Section 28180, with the information maintained in the Automated Firearms System (AFS). If the purchaser's or transferee's information does not match an AFS entry, the transaction shall be denied. If the purchaser's or transferee's information matches an AFS entry, the department shall determine if the purchaser or transferee falls within a class of persons who are prohibited from owning or possessing ammunition by cross-referencing the Prohibited Armed Persons File. If the purchaser or transferee is prohibited from owning or possessing a firearm, the transaction shall be denied.		
<b>30356(c)</b>	A vendor is prohibited from providing a purchaser or transferee ammunition without department approval. If a vendor cannot electronically verify a person's eligibility to purchase or possess ammunition via an Internet connection, the department shall provide a telephone line to verify eligibility. This option is available to ammunition vendors who can demonstrate legitimate geographical and telecommunications limitations in submitting the information electronically and who are approved by the department to use the telephone line verification.		

LEGEND:  CHAPTERED LAW  EXISTING LAW; NOT CHANGED  OPERATIVE SECTIONS  NOT OPERATIVE (see SB 1235 Sec. 19)  REPEALED PER SB 1235 Sec. 19

# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
<b>30356(d)</b>	The department shall recover the reasonable cost of regulatory and enforcement activities related to this article by charging ammunition purchasers and transferees a per transaction fee not to exceed one dollar (\$1), provided, however, that the fee may be increased at a rate not to exceed any increases in the California Consumer Price Index as compiled and reported by the Department of Industrial Relations, not to exceed the reasonable regulatory and enforcement costs. The fees shall be deposited in the Ammunition Special Account, to be available upon appropriation by the Legislature, for use by the Department of Justice for the purpose of implementing and enforcing this article, Article 3 (commencing with Section 30345), and Article 5 (commencing with Section 30360).		
<b>30356(e)</b>	This section shall not apply to the sale, delivery, or transfer of ammunition to any of the following, if properly identified prior to the delivery of the ammunition by the vendor:		
<b>30356(e)(1)</b>	A firearms dealer licensed pursuant to Sections 26700 to 26915, inclusive.		
<b>30356(e)(2)</b>	A person who is on the centralized list of federal firearms licensees maintained by the department pursuant to Article 6 (commencing with Section 28450) of Chapter 6 of Division 6.		
<b>30356(e)(3)</b>	A gunsmith as defined in Section 16630.		
<b>30356(e)(4)</b>	A wholesaler as defined in Section 17340.		
<b>30356(e)(5)</b>	A manufacturer or importer of firearms or ammunition licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.		
<b>30356(e)(6)</b>	An ammunition vendor.		
<b>30356(e)(7)</b>	A person whose licensed premises are outside of this state and who is licensed as a dealer or collector of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.		
<b>30356(e)(8)</b>	A person who is licensed as a collector of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, whose licensed premises are within this state, and who has a current certificate of eligibility issued by the department pursuant to Section 26710.		

LEGEND:  CHAPTERED LAW  EXISTING LAW; NOT CHANGED  OPERATIVE SECTIONS  NOT OPERATIVE (see SB 1235 Sec. 19)  REPEALED PER SB 1235 Sec. 19

# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
<b>30356(e)(9)</b>	An authorized law enforcement representative of a city, county, city and county, or state or federal government, if the sale or other transfer is for exclusive use by that government agency, and, prior to the sale, delivery, or transfer of the ammunition, written authorization from the head of the agency authorizing the transaction is presented to the person from whom the purchase, delivery, or transfer is being made. Proper written authorization is defined as verifiable written certification from the head of the agency, or designee, by which the purchaser, transferee, or person otherwise acquiring ownership is employed, identifying the employee as an individual authorized to conduct the transaction, and authorizing the transaction for the exclusive use of the agency by which that individual is employed.		
<b>30356(e)(10)</b>	A properly identified sworn peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 or properly identified sworn member of a federal law enforcement agency who is authorized to carry a firearm in the course and scope of the officer's duties.		
<b>30356(e)(11)</b>	A target facility that holds a business or regulatory license.		
<b>30356(e)(12)</b>	A person who purchases or receives ammunition at a target facility holding a business or other regulatory license, provided that the ammunition is at all times kept within the facility's premises and used on the premises.		
<b>30356(e)(13)</b>	A commercial hunting club, as defined in Section 3240.5 of the Fish and Game Code.		
<b>30356(e)(14)</b>	A domesticated game bird hunting club, pursuant to Section 3270 of the Fish and Game Code.		
<b>30356(e)(15)</b>	A domesticated migratory game bird shooting club, pursuant to Article 4 (commencing with Section 3300) of Chapter 2 of Part 1 of Division 4 of the Fish and Game Code.		
<b>30356(e)(16)</b>	A participant at a shooting or hunting event conducted by any of the following:		
<b>30356(e)(16) (A)</b>	A commercial hunting club, as defined in Section 3240.5 of the Fish and Game Code, provided the ammunition is used and consumed on the licensed premises while engaged in lawful hunting activity.		
<b>30356(e)(16) (B)</b>	A domesticated game bird hunting club, pursuant to Section 3270 of the Fish and Game Code, provided the ammunition is used and consumed on the licensed premises while engaged in lawful hunting activity.		

LEGEND:  CHAPTERED LAW  EXISTING LAW; NOT CHANGED  OPERATIVE SECTIONS  NOT OPERATIVE (see SB 1235 Sec. 19)  REPEALED PER SB 1235 Sec. 19

# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
<b>30356(e)(16)(C)</b>	A domesticated migratory game bird shooting club, pursuant to Article 4 (commencing with Section 3300) of Chapter 2 of Part 1 of Division 4 of the Fish and Game Code, provided the ammunition is used and consumed on the licensed premises while engaged in lawful hunting activity.		
<b>30356(e)(17)</b>	A nonprofit mutual or public benefit corporation organized pursuant to the Corporations Code that engages in recreational shooting and lawful hunting activity.		
<b>30356(e)(18)</b>	A participant at a shooting or hunting event conducted by a nonprofit mutual or public benefit corporation organized pursuant to the Corporations Code that engages in recreational shooting or lawful hunting activity provided that the ammunition is used and consumed during the event.		
<b>30356(e)(19)</b>	A person who is authorized to carry loaded firearms pursuant to Section 25900, 25905, 25910, 25925, 26010, 26015, 26025, or 26030.		
<b>30356(e)(20)</b>	A holder of a special weapons permit issued by the department pursuant to Section 32650 or 33300, pursuant to Article 3 (commencing with Section 18900) of Chapter 1 of Division 5 of Title 2, or pursuant to Article 4 (commencing with Section 32700) of Chapter 6.		
<b>30356(e)(21)</b>	A holder of a valid entertainment firearms permit issued pursuant to Chapter 2 (commencing with Section 29500) of Division 8.		
<b>30356(e)(22)</b>	A person authorized by the department pursuant to Section 30357.		
<b>30356(e)(23)</b>	A person who has a current certificate of eligibility issued by the department pursuant to Section 26710.		
<b>30357</b>	The department shall develop a procedure in which a person who is not prohibited from purchasing or possessing ammunition may be approved for a single ammunition transaction or purchase. The department shall recover the cost of processing, regulatory, and enforcement activities related to this section by charging the ammunition transaction or purchase applicant a fee not to exceed the fee charged for the department's Dealers' Record of Sale (DROS) process, as described in Section 28225, and not to exceed the department's reasonable costs.		

LEGEND:   CHAPTERED LAW   EXISTING LAW; NOT CHANGED   OPERATIVE SECTIONS   NOT OPERATIVE (see SB 1235 Sec. 19)   REPEALED PER SB 1235 Sec. 19

# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
30357(a)			Commencing February 1, 2011, the records referred to in Section 30352 shall be subject to inspection at any time during normal business hours by any peace officer employed by a sheriff, city police department, or district attorney as provided in subdivision (a) of Section 830.1, or employed by the department as provided in subdivision (b) of Section 830.1, provided that the officer is conducting an investigation where access to those records is or may be relevant, is seeking information about persons prohibited from owning a firearm or ammunition, or is engaged in ensuring compliance with the Dangerous Weapons Control Law, as defined in Section 23500, or any other laws pertaining to firearms or ammunition.
30357(b)			The records referred to in Section 30352 shall also be subject to inspection at any time during normal business hours by any other employee of the department, provided that the employee is conducting an investigation where access to those records is or may be relevant, is seeking information about persons prohibited from owning a firearm or ammunition, or is engaged in ensuring compliance with the Dangerous Weapons Control Law, as defined in Section 23500, or any other laws pertaining to firearms or ammunition.
	SEC. 14. Article 5 (commencing with Section 30360) is added to Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal Code, to read:		
	Article 5. Ammunition Sales		
30360			Commencing February 1, 2011, a vendor shall not knowingly make a false entry in, fail to make a required entry in, fail to obtain the required thumbprint, or otherwise fail to maintain in the required manner, records prepared in accordance with Section 30352. If the right thumbprint is not available, then the vendor shall have the purchaser or transferee use the left thumb, or any available finger, and shall so indicate on the form.
30360(a)	Any person who violates any provision of this article is guilty of a misdemeanor, punishable by imprisonment in a county jail not exceeding one year or a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.		
30360(b)	The provisions of this article are cumulative and shall not be construed as restricting the application of any other law. However, an act or omission punishable in different ways by different provisions of law shall not be punished under more than one provision.		

LEGEND:  CHAPTERED LAW  EXISTING LAW; NOT CHANGED  OPERATIVE SECTIONS  NOT OPERATIVE (see SB 1235 Sec. 19)  REPEALED PER SB 1235 Sec. 19



# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
<b>30362</b>	A vendor shall not permit any employee who the vendor knows or reasonably should know is a person described in Chapter 2 (commencing with Section 29800) or Chapter 3 (commencing with Section 29900) of Division 9 of this title, or Section 8100 or 8103 of the Welfare and Institutions Code, to handle, sell, or deliver ammunition or to deliver or have under his or her custody or control ammunition in the course and scope of employment.		
<b>30362(a)</b>			Commencing February 1, 2011, no vendor shall, during any inspection conducted pursuant to this article, refuse to permit a person authorized under Section 30357 to examine any record prepared in accordance with this article.
<b>30362(b)</b>			Commencing February 1, 2011, no vendor shall refuse to permit the use of any record or information by a person authorized under Section 30357.
		Section 30363 is added to the Penal Code, to read:	
<b>30363</b>	A vendor shall not sell or otherwise transfer ownership of, offer for sale, or otherwise offer to transfer ownership of, display for sale, or display for transfer any ammunition in a manner that allows that ammunition to be accessible to a purchaser or transferee without the assistance of the vendor or an employee of the vendor.	Within 48 hours of discovery, an ammunition vendor shall report the loss or theft of any of the following items to the appropriate law enforcement agency in the city, county, or city and county where the vendor's business premises are located:	Within 48 hours of discovery, an ammunition vendor shall report the loss or theft of any of the following items to the appropriate law enforcement agency in the city, county, or city and county where the vendor's business premises are located:
<b>30363(1)</b>		Any ammunition that is merchandise of the vendor.	Any ammunition that is merchandise of the vendor.
<b>30363(2)</b>		Any ammunition that the vendor takes possession of pursuant to Section 30312.	Any ammunition that the vendor takes possession of pursuant to Section 30312.
<b>30363(3)</b>		Any ammunition kept at the vendor's place of business.	Any ammunition kept at the vendor's place of business.
<b>30364(a)</b>	The sale, delivery, or transfer of ammunition may only occur in a face-to-face transaction with the seller, deliverer, or transferor being provided bona fide evidence of identity from the purchaser or other transferee, provided, however, that ammunition may be purchased over the Internet or through other means of remote ordering if an ammunition vendor in this state initially receives the ammunition and processes the transfer in compliance with this article, Article 3 (commencing with Section 30345), and Article 4 (commencing with Section 30355). An ammunition vendor is required to promptly and properly process those transactions. An ammunition vendor may charge a fee to process the transfer not to exceed ten dollars (\$10) per transaction. An ammunition vendor is not required to house ammunition orders longer than 30 days.		
<b>30364(b)</b>	Subdivision (a) shall not apply to or affect the sale, delivery, or transfer of ammunition to any of the following:		

LEGEND:   CHAPTERED LAW   EXISTING LAW; NOT CHANGED   OPERATIVE SECTIONS   NOT OPERATIVE (see SB 1235 Sec. 19)   REPEALED PER SB 1235 Sec. 19

# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
<b>30364(b)(1)</b>	A firearms dealer licensed pursuant to Sections 26700 to 26915, inclusive.		
<b>30364(b)(2)</b>	A person who is on the centralized list of federal firearms licensees maintained by the Department of Justice pursuant to Article 6 (commencing with Section 28450) of Chapter 6 of Division 6.		
<b>30364(b)(3)</b>	A gunsmith as defined in Section 16630.		
<b>30364(b)(4)</b>	A wholesaler as defined in Section 17340.		
<b>30364(b)(5)</b>	A manufacturer or importer of firearms or ammunition licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.		
<b>30364(b)(6)</b>	An ammunition vendor.		
<b>30364(b)(7)</b>	A person whose licensed premises are outside this state and who is licensed as a dealer or collector of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.		
<b>30364(b)(8)</b>	A person who is licensed as a collector of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, whose licensed premises are within this state, and who has a current certificate of eligibility issued by the Department of Justice pursuant to Section 26710.		
<b>30364(b)(9)</b>	An authorized law enforcement representative of a city, county, city and county, or state or federal government, if the sale, delivery, or other transfer is for exclusive use by that government agency and, prior to the sale, delivery, or transfer of the ammunition, written authorization is received from the head of the agency, or designee, by which the purchaser, transferee, or person otherwise acquiring ownership is employed, identifying the employee as an individual authorized to conduct the transaction, and authorizing the transaction for the exclusive use of the agency employing the individual.		
<b>30364(b)(10)</b>	A properly identified sworn peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, or properly identified sworn member of a federal law enforcement agency who is authorized to carry a firearm in the course and scope of the officer's duties.		
<b>30364(b)(11)</b>	A target facility holding a business or other regulatory license.		
<b>30364(b)(12)</b>	A commercial hunting club, as defined in Section 3240.5 of the Fish and Game Code.		

LEGEND:   CHAPTERED LAW   EXISTING LAW; NOT CHANGED   OPERATIVE SECTIONS   NOT OPERATIVE (see SB 1235 Sec. 19)   REPEALED PER SB 1235 Sec. 19

# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
<b>30364(b)(13)</b>	A domesticated game bird hunting club, pursuant to Section 3270 of the Fish and Game Code.		
<b>30364(b)(14)</b>	A domesticated migratory game bird shooting club, pursuant to Article 4 (commencing with Section 3300) of Chapter 2 of Part 1 of Division 4 of the Fish and Game Code.		
<b>30364(b)(15)</b>	A nonprofit mutual or public benefit corporation organized pursuant to the Corporations Code that engages in recreational shooting and lawful hunting activity.		
<b>30364(b)(16)</b>	A consultant-evaluator.		
<b>30364(b)(17)</b>	A contract or common carrier or an authorized agent or employee thereof, when acting in conformance with applicable federal law.		
<b>30365(a)</b>	Except as provided in subdivision (b), the sale of ammunition shall be conducted at the location specified in the license.		A violation of Section 30352, 30355, 30360, or 30362 is a misdemeanor.
<b>30365(b)</b>	A vendor may sell ammunition at a gun show or event, as described in Chapter 3 (commencing with Section 27200) of Division 6, if the gun show or event is not conducted from any motorized or towed vehicle.		The provisions of this section are cumulative, and shall not be construed as restricting the application of any other law. However, an act or omission punishable in different ways by different provisions of law shall not be punished under more than one provision.
<b>30365(c)</b>	Sales of ammunition at a gun show or event shall comply with Sections 30345, 30356, 30369, and 30370.		
<b>30366(a)</b>	When neither party in an ammunition sale is a vendor, the following shall apply:		
<b>30366(a)(1)</b>	The seller shall deliver the ammunition to a vendor to process the transaction.		
<b>30366(a)(2)</b>	The vendor shall then promptly and properly deliver the ammunition to the purchaser, if the sale is not prohibited, as if the ammunition were the vendor's own merchandise.		
<b>30366(a)(3)</b>	If the vendor cannot legally deliver the ammunition to the purchaser, the vendor shall forthwith return the ammunition to the seller. This return is not subject to Section 30356.		
<b>30366(b)</b>	The vendor may charge the purchaser an administrative fee to process the transaction, not to exceed ten dollars (\$10) per transaction processed.		
<b>30366(c)</b>	A person selling ammunition pursuant to this section is exempt from the requirement to be licensed pursuant to Section 30345.		
<b>30366(d)</b>	This section does not apply to a person whose premises are outside of this state when directly selling and shipping ammunition to a law enforcement agency within this state.		

LEGEND:   CHAPTERED LAW   EXISTING LAW; NOT CHANGED   OPERATIVE SECTIONS   NOT OPERATIVE (see SB 1235 Sec. 19)   REPEALED PER SB 1235 Sec. 19

# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
<b>30367(a)</b>	Notwithstanding Sections 30345 and 30366, the sale of ammunition between the following is authorized so long as it does not exceed 50 rounds per month:		
<b>30367(a)(1)</b>	The sale of ammunition between licensed hunters while engaged in lawful hunting activity.		
<b>30367(a)(2)</b>	The sale of ammunition between immediate family members, spouses, or registered domestic partners.		
<b>30367(b)</b>	Notwithstanding Sections 30345 and 30366, the sale of ammunition by a private individual to an authorized representative of a city, city and county, county, state, or the federal government, as part of a voluntary program is authorized.		
<b>30367(c)</b>	Ammunition acquired pursuant to subdivision (b) shall be disposed of in the same manner as set forth for firearms in Section 18000, 18005, or 34000.		
<b>30368(a)</b>	Commencing July 1, 2019, a resident of this state shall not bring or transport into this state any ammunition that he or she purchased from outside of this state unless he or she first has that ammunition delivered to an ammunition vendor in this state for delivery to that resident pursuant to the procedures set forth in Section 30366.		
<b>30368(b)</b>	Subdivision (a) does not apply to any of the following bringing or transporting into this state any ammunition:		
<b>30368(b)(1)</b>	A firearms dealer licensed pursuant to Sections 26700 to 26915, inclusive.		
<b>30368(b)(2)</b>	A person who is on the centralized list of federal firearms licensees maintained by the department pursuant to Article 6 (commencing with Section 28450) of Chapter 6 of Division 6.		
<b>30368(b)(3)</b>	A gunsmith as defined in Section 16630.		
<b>30368(b)(4)</b>	A wholesaler as defined in Section 17340.		
<b>30368(b)(5)</b>	A manufacturer or importer of firearms or ammunition licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code, and the regulations issued pursuant thereto.		
<b>30368(b)(6)</b>	An ammunition vendor.		
<b>30368(b)(7)</b>	A person who is licensed as a collector of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, whose licensed premises are within this state, and who has a current certificate of eligibility issued by the Department of Justice pursuant to Section 26710.		

LEGEND:   CHAPTERED LAW   EXISTING LAW; NOT CHANGED   OPERATIVE SECTIONS   NOT OPERATIVE (see SB 1235 Sec. 19)   REPEALED PER SB 1235 Sec. 19

# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
<b>30368(b)(8)</b>	Authorized law enforcement representatives of cities, counties, cities and counties, or state or federal governments for exclusive use by those government agencies if, prior to the importation, the person has written authorization from the head of the agency authorizing the acquisition of that ammunition. Proper written authorization is defined as verifiable written certification from the head of the agency, or designee, by which the person is employed, identifying the employee as an individual authorized to acquire and import ammunition, and authorizing the transaction for the exclusive use of the agency by which he or she is employed.		
<b>30368(b)(9)</b>	A properly identified sworn peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, or properly identified sworn member of a federal law enforcement agency who is authorized to carry a firearm in the course and scope of the officer's duties.		
<b>30368(b)(10)</b>	A contract or common carrier or an authorized agent or employee thereof, when acting in conformity with applicable federal law.		
<b>30368(b)(11)</b>	A person who purchases the ammunition from an immediate family member, spouse, or registered domestic partner if the person brings or transports into this state no more than 50 rounds.		
<b>30368(b)(12)</b>	The executor or administrator of an estate that includes ammunition.		
<b>30368(b)(13)</b>	A person that at the time he or she acquired the ammunition was not a resident of this state.		
<b>30368(b)(14)</b>	Ammunition that is imported into this country pursuant to provisions of Section 925(a)(4) of Title 18 of the United States Code.		
<b>30368(b)(15)</b>	A licensed hunter who purchased the ammunition outside of this state for use in a lawful hunting activity that occurred outside of this state if the person brings or imports no more than 50 rounds into this state and the ammunition is designed and intended for use in the firearm the hunter used in that hunting activity.		
<b>30368(b)(16)</b>	A person who attended and participated in an organized competitive match or league competition that involves the use of firearms in a match or competition sponsored by, conducted under the auspices of, or approved by, a law enforcement agency or a nationally or state recognized entity that fosters proficiency in, or promotes education about, firearms, and the person brings or imports into this state no more than 50 rounds of ammunition designed and intended to be used in the firearm the person used in the match or competition.		
<b>30369(a)</b>	Commencing July 1, 2019, a vendor shall not sell or otherwise transfer ownership of any ammunition without, at the time of delivery, legibly recording the following information:		

LEGEND:  CHAPTERED LAW  EXISTING LAW; NOT CHANGED  OPERATIVE SECTIONS  NOT OPERATIVE (see SB 1235 Sec. 19)  REPEALED PER SB 1235 Sec. 19



# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
<b>30369(a)(1)</b>	The purchaser's full name.		
<b>30369(a)(2)</b>	The purchaser's or transferee's driver's license or other identification number and the state in which it was issued		
<b>30369(a)(3)</b>	The date of the sale or other transaction.		
<b>30369(a)(4)</b>	The brand, type, and amount of ammunition sold or otherwise transferred.		
<b>30369(a)(5)</b>	The name of the salesperson who processed the sale or other transaction.		
<b>30369(a)(6)</b>	The purchaser's or transferee's full residential address and telephone number.		
<b>30369(a)(7)</b>	The purchaser's or transferee's date of birth.		
<b>30369(b)</b>	Commencing July 1, 2019, the vendor shall electronically submit to the department the information required by subdivision (a) in a format and a manner prescribed by the department for all sales or other transfers of ammunition. The department shall retain this information for two years in a database to be known as the Ammunition Purchase Records File for the sole purpose of aiding and assisting local and state law enforcement agencies in an active investigation. The vendor shall not share any of the information required by subdivision (a) for any reason other than for authorized law enforcement purposes. The information in the Ammunition Purchase Records File may be accessed by a state or local law enforcement agency only if the department is provided a case number or other sufficient information as determined by the department that indicates an active investigation and the information sought is for the investigation or prosecution of that case.		
<b>30369(c)</b>	In the case that a vendor cannot submit the information required by subdivision (a) electronically via an Internet connection, the department shall provide a telephone line to submit the information if the vendor can demonstrate legitimate geographic and telecommunications limitations to submitting the information electronically, and the department approves the vendor's use of the telephone line.		
<b>30369(d)</b>	This section shall not apply to or affect sales or other transfers of ammunition by ammunition vendors to any of the following, if properly identified:		
<b>30369(d)(1)</b>	A firearms dealer licensed pursuant to Sections 26700 to 26915, inclusive.		
<b>30369(d)(2)</b>	A person who is on the centralized list of federal firearms licensees maintained by the department pursuant to Article 6 (commencing with Section 28450) of Chapter 6 of Division 6.		

LEGEND:  CHAPTERED LAW  EXISTING LAW; NOT CHANGED  OPERATIVE SECTIONS  NOT OPERATIVE (see SB 1235 Sec. 19)  REPEALED PER SB 1235 Sec. 19

# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
<b>30369(d)(3)</b>	A gunsmith as defined in Section 16630.		
<b>30369(d)(4)</b>	A wholesaler as defined in Section 17340.		
<b>30369(d)(5)</b>	A manufacturer or importer of firearms licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.		
<b>30369(d)(6)</b>	An ammunition vendor.		
<b>30369(d)(7)</b>	An authorized law enforcement representative of a city, county, city and county, or state or federal government, if the sale or other transfer is for exclusive use by that government agency, and, prior to the sale, delivery, or transfer of the ammunition, written authorization from the head of the agency, or designee, authorizing the transaction is presented to the person from whom the purchase, delivery, or transfer is being made. Proper written authorization is defined as verifiable written certification from the head of the agency, or designee, by which the purchaser, transferee, or person otherwise acquiring ownership is employed, identifying the employee as an individual authorized to conduct the transaction, and authorizing the transaction for the exclusive use of the agency by which that individual is employed.		
<b>30369(d)(8)</b>	A properly identified sworn peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, or properly identified sworn member of a federal law enforcement agency who is authorized to carry a firearm in the course and scope of the officer's duties.		
<b>30369(d)(9)</b>	A target facility that holds a business or regulatory license.		
<b>30369(d)(10)</b>	A person who purchases or receives ammunition at a target facility holding a business or other regulatory license, provided that the ammunition is at all times kept within the facility's premises and used on the premises.		
<b>30369(d)(11)</b>	A commercial hunting club, as defined in Section 3240.5 of the Fish and Game Code.		
<b>30369(d)(12)</b>	A domesticated game bird hunting club, pursuant to Section 3270 of the Fish and Game Code.		
<b>30369(d)(13)</b>	A domesticated migratory game bird shooting club, pursuant to Article 4 (commencing with Section 3300) of Chapter 2 of Part 1 of Division 4 of the Fish and Game Code.		
<b>30369(d)(14)</b>	A participant at a shooting or hunting event conducted by any of the following:		

LEGEND:  CHAPTERED LAW  EXISTING LAW; NOT CHANGED  OPERATIVE SECTIONS  NOT OPERATIVE (see SB 1235 Sec. 19)  REPEALED PER SB 1235 Sec. 19

# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
<b>30369(d)(14)(A)</b>	A commercial hunting club, as defined in Section 3240.5 of the Fish and Game Code, provided the ammunition is used and consumed on the licensed premises while engaged in lawful hunting activity.		
<b>30369(d)(14)(B)</b>	A domesticated game bird hunting club, pursuant to Section 3270 of the Fish and Game Code, provided the ammunition is used and consumed on the licensed premises while engaged in lawful hunting activity.		
<b>30369(d)(14)(C)</b>	A domesticated migratory game bird shooting club, pursuant to Article 4 (commencing with Section 3300) of Chapter 2 of Part 1 of Division 4 of the Fish and Game Code, provided the ammunition is used and consumed on the licensed premises while engaged in lawful hunting activity.		
<b>30369(d)(15)</b>	A nonprofit mutual or public benefit corporation organized pursuant to the Corporations Code that engages in recreational shooting and lawful hunting activity.		
<b>30369(d)(16)</b>	A participant at a shooting or hunting event conducted by a non-profit mutual or public benefit corporation organized pursuant to the Corporations Code that engages in recreational shooting or lawful hunting activity provided that the ammunition is used and consumed during the event.		
<b>30370</b>	A vendor shall not knowingly make a false entry or fail to make a required entry of information in accordance with Section 30369.		
		Article 4 (commencing with Section 30370) is added to Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal Code, to read: <sup>(2)</sup>	
	SEC. 15. Section 30370 is added to the Penal Code, to read:	Article 4. Ammunition Purchase Authorizations	
<b>30370(a)</b>	Commencing July 1, 2019, the department shall electronically approve the purchase or transfer of ammunition through a vendor, as defined in Section 16151, except as otherwise specified. This approval shall occur at the time of purchase or transfer, prior to the purchaser or transferee taking possession of the ammunition. Pursuant to the authorization specified in paragraph (1) of subdivision (c) of Section 30352, the following persons are authorized to purchase ammunition:		Commencing July 1, 2019, the department shall electronically approve the purchase or transfer of ammunition through a vendor, as defined in Section 16151, except as otherwise specified. This approval shall occur at the time of purchase or transfer, prior to the purchaser or transferee taking possession of the ammunition. Pursuant to the authorization specified in paragraph (1) of subdivision (c) of Section 30352, the following persons are authorized to purchase ammunition:
<b>30370(a)(1)</b>	A purchaser or transferee whose information matches an entry in the Automated Firearms System (AFS) and who is eligible to possess ammunition as specified in subdivision (b).	Commencing on January 1, 2019, any person who is 18 years of age or older may apply to the Department for an ammunition purchase authorization.	A purchaser or transferee whose information matches an entry in the Automated Firearms System (AFS) and who is eligible to possess ammunition as specified in subdivision (b).
<b>30370(a)(2)</b>	A purchaser or transferee who has a current certificate of eligibility issued by the department pursuant to Section 26710.	The ammunition purchase authorization may be used by the authorized person to purchase or otherwise seek the transfer of ownership of ammunition from an ammunition vendor, as that term is defined in Section 16151, and shall have no other force or effect.	A purchaser or transferee who has a current certificate of eligibility issued by the department pursuant to Section 26710.

LEGEND:  CHAPTERED LAW  EXISTING LAW; NOT CHANGED  OPERATIVE SECTIONS  NOT OPERATIVE (see SB 1235 Sec. 19)  REPEALED PER SB 1235 Sec. 19

# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
<b>30370(a)(3)</b>	A purchaser or transferee who is not prohibited from purchasing or possessing ammunition in a single ammunition transaction or purchase made pursuant to the procedure developed pursuant to subdivision (c).	The ammunition purchase authorization shall be valid for four years from July 1, 2019 or the date of issuance, whichever is later, unless it is revoked by the Department pursuant to subdivision (b).	A purchaser or transferee who is not prohibited from purchasing or possessing ammunition in a single ammunition transaction or purchase made pursuant to the procedure developed pursuant to subdivision (c).
<b>30370(b)</b>	To determine if the purchaser or transferee is eligible to purchase or possess ammunition pursuant to paragraph (1) of subdivision (a), the department shall cross-reference the ammunition purchaser's or transferee's name, date of birth, current address, and driver's license or other government identification number, as described in Section 28180, with the information maintained in the AFS. If the purchaser's or transferee's information does not match an AFS entry, the transaction shall be denied. If the purchaser's or transferee's information matches an AFS entry, the department shall determine if the purchaser or transferee falls within a class of persons who are prohibited from owning or possessing ammunition by cross-referencing with the Prohibited Armed Persons File. If the purchaser or transferee is prohibited from owning or possessing a firearm, the transaction shall be denied.	The ammunition purchase authorization shall be promptly revoked by the Department upon the occurrence of any event which would have disqualified the holder from being issued the ammunition purchase authorization pursuant to this section. If an authorization is revoked, the Department shall upon the written request of the holder state the reasons for doing so and provide the holder an appeal process to challenge that revocation.	To determine if the purchaser or transferee is eligible to purchase or possess ammunition pursuant to paragraph (1) of subdivision (a), the department shall cross-reference the ammunition purchaser's or transferee's name, date of birth, current address, and driver's license or other government identification number, as described in Section 28180, with the information maintained in the AFS. If the purchaser's or transferee's information does not match an AFS entry, the transaction shall be denied. If the purchaser's or transferee's information matches an AFS entry, the department shall determine if the purchaser or transferee falls within a class of persons who are prohibited from owning or possessing ammunition by cross-referencing with the Prohibited Armed Persons File. If the purchaser or transferee is prohibited from owning or possessing a firearm, the transaction shall be denied.
<b>30370(c)</b>	The department shall develop a procedure in which a person who is not prohibited from purchasing or possessing ammunition may be approved for a single ammunition transaction or purchase. The department shall recover the cost of processing and regulatory and enforcement activities related to this section by charging the ammunition transaction or purchase applicant a fee not to exceed the fee charged for the department's Dealers' Record of Sale (DROS) process, as described in Section 28225 and not to exceed the department's reasonable costs.	The Department shall create and maintain an internal centralized list of all persons who are authorized to purchase ammunition and shall promptly remove from the list any persons whose authorization was revoked by the Department pursuant to this section. The Department shall provide access to the list by ammunition vendors for purposes of conducting ammunition sales or other transfers, and shall provide access to the list by law enforcement agencies for law enforcement purposes.	The department shall develop a procedure in which a person who is not prohibited from purchasing or possessing ammunition may be approved for a single ammunition transaction or purchase. The department shall recover the cost of processing and regulatory and enforcement activities related to this section by charging the ammunition transaction or purchase applicant a fee not to exceed the fee charged for the department's Dealers' Record of Sale (DROS) process, as described in Section 28225 and not to exceed the department's reasonable costs.
<b>30370(d)</b>	A vendor is prohibited from providing a purchaser or transferee ammunition without department approval. If a vendor cannot electronically verify a person's eligibility to purchase or possess ammunition via an Internet connection, the department shall provide a telephone line to verify eligibility. This option is available to ammunition vendors who can demonstrate legitimate geographical and telecommunications limitations in submitting the information electronically and who are approved by the department to use the telephone line verification.	The Department shall issue an ammunition purchase authorization to the applicant if all of the following conditions are met:	A vendor is prohibited from providing a purchaser or transferee ammunition without department approval. If a vendor cannot electronically verify a person's eligibility to purchase or possess ammunition via an Internet connection, the department shall provide a telephone line to verify eligibility. This option is available to ammunition vendors who can demonstrate legitimate geographical and telecommunications limitations in submitting the information electronically and who are approved by the department to use the telephone line verification.
<b>30370(d)(1)</b>		The applicant is 18 years of age or older.	
<b>30370(d)(2)</b>		The applicant is not prohibited from acquiring or possessing ammunition under Section 30305(a) or federal law.	
<b>30370(d)(3)</b>		The applicant pays the fees set forth in subdivision (g).	

LEGEND:   CHAPTERED LAW   EXISTING LAW; NOT CHANGED   OPERATIVE SECTIONS   NOT OPERATIVE (see SB 1235 Sec. 19)   REPEALED PER SB 1235 Sec. 19

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<b>30370(e)</b>	The department shall recover the reasonable cost of regulatory and enforcement activities related to this article by charging ammunition purchasers and transferees a per transaction fee not to exceed one dollar (\$1), provided, however, that the fee may be increased at a rate not to exceed any increases in the California Consumer Price Index as compiled and reported by the Department of Industrial Relations, not to exceed the reasonable regulatory and enforcement costs.		The department shall recover the reasonable cost of regulatory and enforcement activities related to this article by charging ammunition purchasers and transferees a per transaction fee not to exceed one dollar (\$1), provided, however, that the fee may be increased at a rate not to exceed any increases in the California Consumer Price Index as compiled and reported by the Department of Industrial Relations, not to exceed the reasonable regulatory and enforcement costs.
<b>30370(e)(1)</b>		Upon receipt of an initial or renewal application, the Department shall examine its records, and the records it is authorized to request from the State Department of State Hospitals, pursuant to Section 8104 of the Welfare and Institutions Code, and if authorized, the National Instant Criminal Background Check System, as described in Section 922(t) of Title 18 of the United States Code, in order to determine if the applicant is prohibited from possessing or acquiring ammunition under Section 30305(a) or federal law.	
<b>30370(e)(2)</b>		The applicant shall be approved or denied within 30 days of the date of the submission of the application to the Department. If the application is denied, the Department shall state the reasons for doing so and provide the applicant an appeal process to challenge that denial.	
<b>30370(e)(3)</b>		If the Department is unable to ascertain the final disposition of the application within 30 days of the applicant's submission, the Department shall grant authorization to the applicant.	
<b>30370(e)(4)</b>		The ammunition purchase authorization number shall be the same as the number on the document presented by the person as bona fide evidence of identity.	
<b>30370(f)</b>	A fund to be known as the "Ammunition Safety and Enforcement Special Fund" is hereby created within the State Treasury. All fees received pursuant to this section shall be deposited into the Ammunition Safety and Enforcement Special Fund and, notwithstanding Section 13340 of the Government Code, are continuously appropriated for purposes of implementing, operating, and enforcing the ammunition authorization program provided for in this section and Section 30352 and for repaying the start-up loan provided for in Section 30371.	The Department shall renew a person's ammunition purchase authorization before its expiration, provided that the Department determines that the person is not prohibited from acquiring or possessing ammunition under Section 30305(a) or federal law, and provided the applicant timely pays the renewal fee set forth in subdivision (g).	A fund to be known as the "Ammunition Safety and Enforcement Special Fund" is hereby created within the State Treasury. All fees received pursuant to this section shall be deposited into the Ammunition Safety and Enforcement Special Fund and, notwithstanding Section 13340 of the Government Code, are continuously appropriated for purposes of implementing, operating, and enforcing the ammunition authorization program provided for in this section and Section 30352 and for repaying the start-up loan provided for in Section 30371.

LEGEND:  CHAPTERED LAW  EXISTING LAW; NOT CHANGED  OPERATIVE SECTIONS  NOT OPERATIVE (see SB 1235 Sec. 19)  REPEALED PER SB 1235 Sec. 19

# AMMUNITION: Comparison of California SB 1235 (2016), Proposition 63 (2016), and Chaptered Statutes

Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
30370(g)	The Department of Justice is authorized to adopt regulations to implement this section.	The Department may charge a reasonable fee not to exceed \$50 per person for the issuance of an ammunition purchase authorization or the issuance of a renewal authorization, however, the Department shall not set these fees any higher than necessary to recover the reasonable, estimated costs to fund the ammunition authorization program provided for in this section and Section 30352, including the enforcement of this program and maintenance of any data systems associated with this program.	The Department of Justice is authorized to adopt regulations to implement this section.
30370(h)		A fund to be known as the "Ammunition Safety and Enforcement Special Fund" is hereby created within the State Treasury. All fees received pursuant to this section shall be deposited into the Ammunition Safety and Enforcement Special Fund of the General Fund, and, notwithstanding Section 13340 of the Government Code, are continuously appropriated for purposes of implementing, operating and enforcing the ammunition authorization program provided for in this section and Section 30352, and for repaying the start-up loan provided for in Section 30371.	
30370(i)		(i) The Department shall annually review and may adjust all fees specified in subdivision (g) for inflation.	
30370(j)		The Department of Justice is authorized to adopt regulations to implement the provisions of this section.	
		Section 30371 is added to the Penal Code, to read:	
30371(a)		There is hereby appropriated twenty-five million dollars (\$25,000,000) from the General Fund as a loan for the start-up costs of implementing, operating and enforcing the provisions of the ammunition authorization program provided for in Sections 30352 and 30370.	There is hereby appropriated twenty-five million dollars (\$25,000,000) from the General Fund as a loan for the start-up costs of implementing, operating and enforcing the provisions of the ammunition authorization program provided for in Sections 30352 and 30370.
30371(b)		For purposes of repaying the loan, the Controller shall, after disbursing moneys necessary to implement, operate and enforce the ammunition authorization program provided for in Sections 30352 and 30370, transfer all proceeds from fees received by the Ammunition Safety and Enforcement Special Fund up to the amount of the loan provided by this Section, including interest at the pooled money investment account rate, to the General Fund.	For purposes of repaying the loan, the Controller shall, after disbursing moneys necessary to implement, operate and enforce the ammunition authorization program provided for in Sections 30352 and 30370, transfer all proceeds from fees received by the Ammunition Safety and Enforcement Special Fund up to the amount of the loan provided by this section, including interest at the pooled money investment account rate, to the General Fund.
		Article 5 (commencing with Section 30385) is added to Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal Code, to read:	
		Article 5. Ammunition Vendor Licenses	

LEGEND:  CHAPTERED LAW  EXISTING LAW; NOT CHANGED  OPERATIVE SECTIONS  NOT OPERATIVE (see SB 1235 Sec. 19)  REPEALED PER SB 1235 Sec. 19



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Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
30385(a)		The Department of Justice is authorized to issue ammunition vendor licenses pursuant to this article. The Department shall, commencing July 1, 2017, commence accepting applications for ammunition vendor licenses. If an application is denied, the Department shall inform the applicant of the reason for denial in writing.	The Department of Justice is authorized to issue ammunition vendor licenses pursuant to this article. The department shall, commencing July 1, 2017, commence accepting applications for ammunition vendor licenses. If an application is denied, the department shall inform the applicant of the reason for denial in writing.
30385(b)		he ammunition vendor license shall be issued in a form prescribed by the Department of Justice and shall be valid for a period of one year. The Department may adopt regulations to administer the application and enforcement provisions of this article. The license shall allow the licensee to sell ammunition at the location specified in the license or at a gun show or event as set forth in Section 30348.	The ammunition vendor license shall be issued in a form prescribed by the department and shall be valid for a period of one year. The department may adopt regulations to administer the application and enforcement provisions of this article. The license shall allow the licensee to sell ammunition at the location specified in the license or at a gun show or event as set forth in Section 30348.
30385(c)(1)		In the case of an entity other than a natural person, the Department shall issue the license to the entity, but shall require a responsible person to pass the background check pursuant to Section 30395.	In the case of an entity other than a natural person, the department shall issue the license to the entity, but shall require a responsible person to pass the background check pursuant to Section 30395.
30385(c)(2)		A “responsible person” for purposes of this article, means a person having the power to direct the management, policies and practices of the entity as it pertains to ammunition.	For purposes of this article, “responsible person” means a person having the power to direct the management, policies, and practices of the entity as it pertains to ammunition.
30385(d)		Commencing January 1, 2018, a firearms dealer licensed pursuant to Sections 26700 to 26915, inclusive, shall automatically be deemed a licensed ammunition vendor, provided the dealer complies with the requirements of Article 2 (commencing with Section 30300) and Article 3 (commencing with Section 30342) of this chapter.	Commencing January 1, 2018, a firearms dealer licensed pursuant to Sections 26700 to 26915, inclusive, shall automatically be deemed a licensed ammunition vendor, provided the dealer complies with the requirements of Article 2 (commencing with Section 30300) and Article 3 (commencing with Section 30342).
30390(a)		The Department may charge ammunition vendor license applicants a reasonable fee sufficient to reimburse the Department for the reasonable, estimated costs of administering the license program, including the enforcement of this program and maintenance of the registry of ammunition vendors.	The Department of Justice may charge ammunition vendor license applicants a reasonable fee sufficient to reimburse the department for the reasonable, estimated costs of administering the license program, including the enforcement of this program and maintenance of the registry of ammunition vendors.
30390(b)		The fees received by the Department pursuant to this article shall be deposited in the Ammunition Vendor’s Special Account, which is hereby created. Notwithstanding Section 13340 of the Government Code, the revenue in the fund is continuously appropriated for use by the Department of Justice for the purpose of implementing, administering and enforcing the provisions of this article, and for collecting and maintaining information submitted pursuant to Section 30352.	The fees received by the department pursuant to this article shall be deposited in the Ammunition Vendors Special Account, which is hereby created. Notwithstanding Section 13340 of the Government Code, the revenue in the fund is continuously appropriated for use by the department for the purpose of implementing, administering and enforcing the provisions of this article, and for collecting and maintaining information submitted pursuant to Section 30352.
30390(c)		The revenue in the Firearms Safety and Enforcement Special Fund shall also be available upon appropriation to the Department of Justice for the purpose of implementing and enforcing the provisions of this article.	The revenue in the Firearms Safety and Enforcement Special Fund shall also be available upon appropriation to the department for the purpose of implementing and enforcing the provisions of this article.

LEGEND:  CHAPTERED LAW  EXISTING LAW; NOT CHANGED  OPERATIVE SECTIONS  NOT OPERATIVE (see SB 1235 Sec. 19)  REPEALED PER SB 1235 Sec. 19

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Penal Code Section	SB 1235	Proposition 63	Chaptered Law / Published at Leginfo
30395(a)		The Department is authorized to issue ammunition vendor licenses to applicants who the Department has determined, either as an individual or a responsible person, are not prohibited from possessing, receiving, owning, or purchasing ammunition under Section 30305(a) or federal law, and who provide a copy of any regulatory or business license required by local government, a valid seller's permit issued by the State Board of Equalization, a federal firearms license if the person is federally licensed, and a certificate of eligibility issued by the Department.	The Department of Justice is authorized to issue ammunition vendor licenses to applicants who the department has determined, either as an individual or a responsible person, are not prohibited from possessing, receiving, owning, or purchasing ammunition under subdivision (a) of Section 30305 or federal law, and who provide a copy of any regulatory or business license required by local government, a valid seller's permit issued by the State Board of Equalization, a federal firearms license if the person is federally licensed, and a certificate of eligibility issued by the department.
30395(b)		The Department shall keep a registry of all licensed ammunition vendors. Law enforcement agencies shall be provided access to the registry for law enforcement purposes.	The department shall keep a registry of all licensed ammunition vendors. Law enforcement agencies shall be provided access to the registry for law enforcement purposes.
30395(c)		An ammunition vendor license is subject to forfeiture for a breach of any of the prohibitions and requirements of Article 2 (commencing with Section 30300) or Article 3 (commencing with Section 30342) of this chapter.	An ammunition vendor license is subject to forfeiture for a breach of any of the prohibitions and requirements of Article 2 (commencing with Section 30300) or Article 3 (commencing with Section 30342).
	SEC. 16. Section 30370 of the Penal Code, as proposed to be added by the Safety for All Act of 2016 at the November 8, 2016, statewide general election, is repealed. <sup>(2)</sup>		
	SEC. 17. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution. However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.		
	SEC. 18. The Legislature finds and declares that Section 13 of this act, which adds Section 30369 to the Penal Code, imposes a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest: In order to protect the personal information of ammunition purchasers, it is necessary that this act limit the public's right of access to that information.		

LEGEND:  CHAPTERED LAW  EXISTING LAW; NOT CHANGED  OPERATIVE SECTIONS  NOT OPERATIVE (see SB 1235 Sec. 19)  REPEALED PER SB 1235 Sec. 19

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	<p>SEC. 19. (a) Sections 12, 15, and 16 of this act shall only become operative if the Safety for All Act of 2016 is enacted by the voters at the November 8, 2016, statewide general election and becomes effective, in which case Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, and 14 shall not become operative.</p> <p>(b) The Legislature finds and declares that the intent expressed in the Safety for All Act of 2016 is to safeguard the ability of law-abiding, responsible Californians to own and use firearms for lawful means while requiring background checks for ammunition purchases in the manner required for firearm purchases so that neither firearms nor ammunition are getting into the hands of dangerous individuals. The Legislature finds and declares that the amendments to the Safety for All Act of 2016 made by Sections 12, 15, and 16 are consistent with and further that intent. The amendments ensure that only law-abiding, responsible Californians who appear in the Automated Firearms System are able to purchase ammunition for their legally owned firearms while violent felons and the dangerously mentally ill who appear in the Armed Prohibited Persons System are not.</p>		
<b>Sources</b>			
<b>SB 1235</b>	<a href="http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160SB1235">http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160SB1235</a>		
<b>Proposition 63</b>	<a href="https://www.oag.ca.gov/system/files/initiatives/pdfs/15-0098%20(Firearms)_0.pdf">https://www.oag.ca.gov/system/files/initiatives/pdfs/15-0098%20(Firearms)_0.pdf</a>		
<b>Chaptered Law*</b>	<a href="http://leginfo.legislature.ca.gov/faces/codes_displayexpandedbranch.xhtml?tocCode=PEN&amp;division=&amp;title=&amp;part=6.&amp;chapter=&amp;article=">http://leginfo.legislature.ca.gov/faces/codes_displayexpandedbranch.xhtml?tocCode=PEN&amp;division=&amp;title=&amp;part=6.&amp;chapter=&amp;article=</a>		
<b>Footnotes</b>			<i>*as of May 2017</i>
1. See Penal Code section 30000, et seq. for balance of Proposition 63 Sec. 8			
2. See SB 1235 Section 19			

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