

Assembly Joint Resolution No. 5

RESOLUTION CHAPTER 127

Assembly Joint Resolution No. 5—Relative to firearm safety.

[Filed with Secretary of State August 16, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AJR 5, Jones-Sawyer. Firearm safety.

This measure would urge the federal government to use California as an example for firearm safety and for stronger firearm laws to protect all citizens. The measure would also urge the federal government to pass legislation that would provide universal firearm safety regulation throughout the nation.

WHEREAS, Federal law does not require the use of a licensed dealer for firearm transfers, as opposed to California, where, with minimal exceptions, the transfer of firearms between unlicensed individuals must be completed by a licensed dealer and a background check must be submitted; and

WHEREAS, Federal law does not require a waiting period, but California requires a 10-day waiting period to allow a background check to be completed before a firearm can be transferred or delivered; and

WHEREAS, Federal law does not limit the purchase of multiple handguns in a single sale, unlike California; and

WHEREAS, Federal law does not require any licensing or training, yet in California, a firearm safety certificate must be obtained before purchasing or receiving a firearm. In addition, a safe handling demonstration must be performed in the presence of a Department of Justice certified instructor; and

WHEREAS, Federal law exempts firearms and ammunition from the health and safety standards set by the federal Consumer Product Safety Act, differing from the California Penal Code, which prohibits the manufacturing or the importation of unsafe handguns, as defined by law, into California; and

WHEREAS, Federal funds are prohibited from being used to advocate or promote gun control, limiting research on firearm violence. However, the California Firearm Violence Research Act of 2016 created the Firearm Violence Research Center at the University of California to study the cause and effect of firearm-related violence; and

WHEREAS, There are no federal guidelines related to carrying concealed weapons, while California is a “may-issue” state, giving local law enforcement the discretion to refuse concealed weapon licenses. In addition, it is unlawful to carry a loaded firearm in California; and

WHEREAS, The United States Department of Justice recently amended regulations to make bump stocks illegal, following California's lead on banning multiburst trigger activators, dating back to 1990, and last amended in 2018. In addition, the California Penal Code restricts the use and possession of firearms defined as assault weapons, and requires them to be registered and permitted for lawful sale and possession; and

WHEREAS, In 2017, the national average of gun-related deaths per 100,000 people is 11.7, while California's average is 7.9; and

WHEREAS, Data provided by the federal Centers for Disease Control and Prevention (CDC) Fatal Injury Report show that in the early 1990s, California ranked 3rd and 16th in gun homicides and gun deaths per capita, respectively, among all states, but by 2016, improved to 25th in gun homicides per capita with the 8th lowest rate of gun-related deaths nationwide; and

WHEREAS, The CDC Fatal Injury Report notes that over 25 years, California's firearm death rate has fallen more than twice as much as the national gun death rate over the same timeframe; and

WHEREAS, California's firearm death rate is approximately 36 percent lower than the national rate; and

WHEREAS, In 2017, the last year of measured data, Californians were 21 percent less likely to be murdered with a firearm, 33 percent less likely to die in an accidental shooting, and 45 percent less likely to die by firearm suicide than the national average; and

WHEREAS, California was the first state to enact a gun violence restraining order, known in most states as an extreme risk protection order, which allows an immediate family member to file a petition to the court to request that firearms and ammunition belonging to the subject of the petition be removed and to temporarily prevent the individual subject from owning or possessing a firearm or ammunition; and

WHEREAS, California, along with six other states, prevents the purchase and possession of firearms by individuals convicted of a hate crime; and

WHEREAS, The annual national cost of gun violence equates to \$229,000,000,000, or \$700 per American. In California alone, the economic cost of gun violence is \$18,300,000,000 per year; and

WHEREAS, A nationwide study released by the Federal Bureau of Investigation in June 2018 found that between 2000 and 2013, 75 percent of firearms used in an active shooting, known as a "mass shooting," were legally obtained; and

WHEREAS, The health and safety of the people of our nation should be the number one priority of any federal administration, state and local lawmakers, and all other local officials; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly,
That the Legislature urges the federal government to use California as an example for firearm safety and for stronger firearm laws to protect all citizens; and be it further

Resolved, That the Legislature urges the federal government to pass legislation that would provide universal firearm safety regulation throughout this nation, and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, and to each Senator and Representative from California in the Congress of the United States.