

Introduced by Senator ArreguínFebruary 21, 2025

An act to amend Section 30312 of the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

SB 704, as introduced, Arreguín. Firearms: ammunition sales.

Existing law, as amended by the Safety for All Act of 2016, an initiative statute approved by the voters as Proposition 63 at the November 8, 2016, statewide general election, requires the sale of ammunition to be conducted by or processed through a licensed ammunition vendor. Existing law exempts from that requirement the sale, delivery, or transfer of ammunition to specified individuals, including a sworn peace officer or sworn federal law enforcement officer who is authorized to carry a firearm in the course and scope of the officer's duties. A violation of this provision is a misdemeanor. Proposition 63 allows its provisions to be amended by a vote of 55% of the Legislature so long as the amendments are consistent with and further the intent of the act.

This bill would make technical, nonsubstantive changes to those provisions.

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

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

1 SECTION 1. Section 30312 of the Penal Code is amended to
2 read:

1 30312. (a) (1) Commencing January 1, 2018, the sale of
2 ammunition by any party shall be conducted by or processed
3 through a licensed ammunition vendor.

4 (2) When neither party to an ammunition sale is a licensed
5 ammunition vendor, the seller shall deliver the ammunition to a
6 vendor to process the transaction. The ammunition vendor shall
7 promptly and properly deliver the ammunition to the purchaser,
8 if the sale is not prohibited, as if the ammunition were the vendor's
9 own merchandise. If the ammunition vendor cannot legally deliver
10 the ammunition to the purchaser, the vendor shall forthwith return
11 the ammunition to the seller. The ammunition vendor may charge
12 the purchaser an administrative fee to process the transaction, in
13 an amount to be set by the Department of Justice, in addition to
14 any applicable fees that may be charged pursuant to the provisions
15 of this title.

16 (b) Commencing January 1, 2018, the sale, delivery, or transfer
17 of ownership of ammunition by any party may only occur in a
18 face-to-face transaction with the seller, deliverer, or transferor,
19 provided, however, that ammunition may be purchased or acquired
20 over the Internet or through other means of remote ordering if a
21 licensed ammunition vendor initially receives the ammunition and
22 processes the transaction in compliance with this section and
23 Article 3 (commencing with Section 30342) of Chapter 1 of
24 Division 10 of Title 4 of this part.

25 (c) Subdivisions (a) and (b) shall not apply to the sale, delivery,
26 or transfer of ammunition to any of the following:

27 (1) An authorized law enforcement representative of a city,
28 county, city and county, or state or federal government, if the sale,
29 delivery, or transfer is for exclusive use by that government agency
30 and, prior to the sale, delivery, or transfer of the ammunition,
31 written authorization from the head of the agency employing the
32 purchaser or transferee is obtained, identifying the employee as
33 an individual authorized to conduct the transaction, and authorizing
34 the transaction for the exclusive use of the agency employing the
35 individual.

36 (2) A sworn peace officer, as defined in Chapter 4.5
37 (commencing with Section 830) of Title 3 of Part 2, or sworn
38 federal law enforcement officer, who is authorized to carry a
39 firearm in the course and scope of the officer's duties.

1 (3) An importer or manufacturer of ammunition or firearms
2 who is licensed to engage in business pursuant to Chapter 44
3 (commencing with Section 921) of Title 18 of the United States
4 Code and the regulations issued pursuant thereto.

5 (4) A person who is on the centralized list of exempted federal
6 firearms licensees maintained by the Department of Justice
7 pursuant to Article 6 (commencing with Section 28450) of Chapter
8 6 of Division 6 of this title.

9 (5) A person whose licensed premises are outside this state and
10 who is licensed as a dealer or collector of firearms pursuant to
11 Chapter 44 (commencing with Section 921) of Title 18 of the
12 United States Code and the regulations issued pursuant thereto.

13 (6) A person who is licensed as a collector of firearms pursuant
14 to Chapter 44 (commencing with Section 921) of Title 18 of the
15 United States Code and the regulations issued pursuant thereto,
16 whose licensed premises are within this state, and who has a current
17 certificate of eligibility issued by the Department of Justice
18 pursuant to Section 26710.

19 (7) An ammunition vendor.

20 (8) A consultant-evaluator.

21 (9) A person who purchases or receives ammunition at a target
22 facility holding a business or other regulatory license, provided
23 that the ammunition is ~~at all times~~ kept within the ~~facility's~~
24 ~~premises~~. *premises of the facility at all times.*

25 (10) A person who purchases or receives ammunition from a
26 spouse, registered domestic partner, or immediate family member
27 as defined in Section 16720.

28 (11) A person enrolled in the basic training academy for peace
29 officers or any other course certified by the Commission on Peace
30 Officer Standards and Training, an instructor of the academy or
31 course, or a staff member of the academy or entity providing the
32 course, who is purchasing the ammunition for the purpose of
33 participation or use in the course.

34 (d) A violation of this section is a misdemeanor.

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