

## LEGISLATIVE DIGEST

[Police Code - “Ghost Guns”]

**Ordinance amending the Police Code to prohibit any person other than a licensed manufacturer or importer from possessing, selling, offering for sale, transferring, purchasing, transporting, receiving, or manufacturing an unfinished firearm frame or receiver that has not been imprinted with a serial number, subject to certain exceptions; and prohibiting any person from manufacturing or assembling a firearm that has not been imprinted with a serial number, subject to certain exceptions.**

### Existing Law

City law does not regulate the possession, sale, transfer, or manufacture of unfinished firearm parts including frames and receivers. A state law that will come into effect on July 1, 2022, requires that the sale or transfer of unfinished firearm frames or receivers (also known as “precursor parts”) to be processed by a licensed vendor in a face to face transaction with a background check. City law also does not regulate the manufacture or assembly of firearms that lack serial numbers. State law requires a person who wishes to self-manufacture or assemble a firearm to obtain a serial number from the California Department of Justice and affix it to the firearm within 10 days of manufacturing or assembling the firearm.

### Amendments to Current Law

The proposed ordinance would prohibit any person in San Francisco from possessing, selling, offering to sell, transferring, purchasing, transporting, receiving, or manufacturing an unfinished frame or receiver unless the person holds a federal firearms importer or manufacturer license, or unless the unfinished frame or receiver has been properly imprinted with a serial number issued by a federal firearms importer or manufacturer. Thus, the ordinance would prohibit ordering a firearm assembly kit containing an unfinished frame or receiver for delivery to a San Francisco address if the frame or receiver in the kit lacks a serial number, and would prohibit an online seller from shipping such a kit to a San Francisco address. The ordinance would prohibit possession of an unfinished frame or receiver lacking a serial number obtained from outside San Francisco.

These prohibitions are subject to certain exceptions, including an exception that would allow a person to purchase and possess an unfinished frame or receiver if they first obtain a serial number for it from the California Department of Justice pursuant to Penal Code Section 29180 and process the sale or transfer of the unfinished frame or receiver through a state-licensed precursor parts vendor in a face-to-face transaction with a background check under Penal Code Section 30400, where the vendor ensures the serial number has been obtained and permanently affixed to the frame or receiver prior to the individual taking possession of it and the California Department of Justice is notified of the identity of the owner.

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The proposed ordinance would prohibit anyone in the City from manufacturing or assembling a firearm that lacks a serial number issued by a federal firearms importer or manufacturer. The prohibition is subject to several exceptions, including an exception that would allow a person to assemble or manufacture a firearm with a frame or receiver that has been processed through a state-licensed precursor parts vendor, where the vendor ensures the frame or receiver has been imprinted with a serial number issued by the California Department of Justice.

Violation of the proposed ordinance would be a misdemeanor.

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