

AMENDED IN SENATE JUNE 14, 2016

AMENDED IN ASSEMBLY MAY 31, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1664**

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**Introduced by Assembly Members Levine, Ting, and Chiu**  
**(Coauthors: Assembly Members Bonta, Cristina Garcia, Gipson,**  
**McCarty, Nazarian, and Santiago)**  
(Coauthor: Senator Leno)

January 14, 2016

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An act to amend Sections 30515 and 30900 of, and to add Section 30680 to, the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

AB 1664, as amended, Levine. Firearms: assault weapons.

*(1) Existing law generally prohibits the possession or transfer of assault weapons, except for the sale, purchase, importation, or possession of assault weapons by specified individuals, including law enforcement officers. Under existing law, "assault weapon" means, among other things, a semiautomatic centerfire rifle or a semiautomatic pistol that has the capacity to accept a detachable magazine and has any one of several specified attributes, including, for rifles, a thumbhole stock, and for pistols, a 2nd handgrip.*

*This bill would revise this definition of "assault weapon" to mean a semiautomatic centerfire rifle or a semiautomatic pistol that does not have a fixed magazine but has any one of those specified attributes. The bill would also define "fixed magazine" to mean an ammunition feeding device contained in, or permanently attached to, a firearm in such a*

*manner that the device cannot be removed without disassembly of the firearm action.*

*By expanding the definition of an existing crime, the bill would impose a state-mandated local program.*

*(2) Existing law makes any person who, within this state, possesses an assault weapon, except as otherwise provided, guilty of a misdemeanor or a felony.*

*This bill would exempt from punishment under that prohibition a person who possessed an assault weapon prior to January 1, 2017, if specified requirements are met.*

*(3) Existing law requires that, with specified exceptions, any person who, prior to January 1, 2001, lawfully possessed an assault weapon prior to the date it was defined as an assault weapon, and which was not specified as an assault weapon at the time of lawful possession, register the firearm with the Department of Justice. Existing law permits the Department of Justice to charge a fee for registration of up to \$20 per person but not to exceed the actual processing costs of the department. Existing law, after the department establishes fees sufficient to reimburse the department for processing costs, requires fees charged to increase at a rate not to exceed the legislatively approved annual cost-of-living adjustment for the department's budget or as otherwise increased through the Budget Act. Existing law requires those fees to be deposited into the Dealers' Record of Sale Special Account. Existing law, the Administrative Procedure Act, establishes the requirements for the adoption, publication, review, and implementation of regulations by state agencies.*

*This bill would require that any person who, from January 1, 2001, to December 31, 2016, inclusive, lawfully possessed an assault weapon that does not have a fixed magazine, as defined, and including those weapons with an ammunition feeding device that can be removed readily from the firearm with the use of a tool, register the firearm with the Department of Justice before January 1, 2018, but not before the effective date of specified regulations. The bill would permit the department to increase the \$20 registration fee as long as it does not exceed the reasonable processing costs of the department. The bill would also require registrations to be submitted electronically via the Internet utilizing a public-facing application made available by the department. The bill would require the registration to contain specified information, including, but not limited to, a description of the firearm that identifies it uniquely and specified information about the registrant.*

*The bill would permit the department to charge a fee of up to \$15 per person for registration through the Internet, not to exceed the reasonable processing costs of the department to be paid and deposited, as specified, for purposes of the registration program. The bill would require the department to adopt regulations for the purpose of implementing those provisions and would exempt those regulations from the Administrative Procedure Act. The bill would also make technical and conforming changes.*

*(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

~~(1) Existing law generally prohibits the possession or transfer of assault weapons, except for the sale, purchase, importation, or possession of assault weapons by specified individuals, including law enforcement officers. Under existing law, “assault weapon” means, among other things, a semiautomatic centerfire rifle or a semiautomatic pistol that has the capacity to accept a detachable magazine and has any one of specified attributes, including, for rifles, a thumbhole stock, and for pistols, a second handgrip.~~

~~This bill would define “detachable magazine” to mean an ammunition feeding device that can be removed readily from the firearm without disassembly of the firearm action, including an ammunition feeding device that can be removed readily from the firearm with the use of a tool.~~

~~By expanding the definition of an existing crime, the bill would impose a state-mandated local program.~~

~~(2) Existing law requires that any person who, within this state, possesses an assault weapon, except as otherwise provided, be punished as a felony or for a period not to exceed one year in a county jail.~~

~~This bill would exempt from punishment under that provision a person who initially possessed an assault weapon prior to January 1, 2017, and until July 1, 2018, if specified requirements are met.~~

~~(3) Existing law requires that, with specified exceptions, any person who, prior to January 1, 2001, lawfully possessed an assault weapon prior to the date it was defined as an assault weapon, and which was not specified as an assault weapon at the time of lawful possession, register the firearm with the Department of Justice. Existing law permits~~

~~the department to charge a fee for registration of up to \$20 per person but not to exceed the actual processing costs of the department. Existing law, after the department establishes fees sufficient to reimburse the department for processing costs, requires fees charged to increase at a rate not to exceed the legislatively approved annual cost-of-living adjustment for the department's budget or as otherwise increased through the Budget Act. Existing law requires those fees to be deposited into the Dealers' Record of Sale Special Account. Existing law, the Administrative Procedure Act, establishes the requirements for the adoption, publication, review, and implementation of regulations by state agencies.~~

~~This bill would require that any person who, from January 1, 2001, to December 31, 2016, inclusive, lawfully possessed an assault weapon with an ammunition feeding device that can be removed readily from the firearm without disassembly of the firearm action, including a weapon with an ammunition feeding device that can be removed readily from the firearm with the use of a tool, to register the firearm with the department before July 1, 2018, but not before the effective date of specified regulations. The bill would permit the department to charge a registration fee not to exceed the reasonable processing costs of the department. This bill would also require registrations to be submitted electronically via the Internet utilizing a public-facing application made available by the department. This bill would require the registration to contain specified information, including, but not limited to, a description of the firearm that identifies it uniquely and specified information about the registrant. The bill would require the department to adopt regulations for the purpose of implementing these provisions and would exempt those regulations from the Administrative Procedure Act. This bill would also make technical and conforming changes.~~

~~(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

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

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

1     SECTION 1. Section 30515 of the Penal Code is amended to  
2 read:

3     30515. (a) Notwithstanding Section 30510, “assault weapon”  
4 also means any of the following:

5     (1) A semiautomatic, centerfire rifle that ~~has the capacity to~~  
6 ~~accept~~ *does not have a detachable fixed magazine and but has* any  
7 one of the following:

8     (A) A pistol grip that protrudes conspicuously beneath the action  
9 of the weapon.

10    (B) A thumbhole stock.

11    (C) A folding or telescoping stock.

12    (D) A grenade launcher or flare launcher.

13    (E) A flash suppressor.

14    (F) A forward pistol grip.

15    (2) A semiautomatic, centerfire rifle that has a fixed magazine  
16 with the capacity to accept more than 10 rounds.

17    (3) A semiautomatic, centerfire rifle that has an overall length  
18 of less than 30 inches.

19    (4) A semiautomatic pistol that ~~has the capacity to accept~~ *does*  
20 *not have a detachable fixed magazine and but has* any one of the  
21 following:

22    (A) A threaded barrel, capable of accepting a flash suppressor,  
23 forward handgrip, or silencer.

24    (B) A second handgrip.

25    (C) A shroud that is attached to, or partially or completely  
26 encircles, the barrel that allows the bearer to fire the weapon  
27 without burning the bearer’s hand, except a slide that encloses the  
28 barrel.

29    (D) The capacity to accept a detachable magazine at some  
30 location outside of the pistol grip.

31    (5) A semiautomatic pistol with a fixed magazine that has the  
32 capacity to accept more than 10 rounds.

33    (6) A semiautomatic shotgun that has both of the following:

34    (A) A folding or telescoping stock.

35    (B) A pistol grip that protrudes conspicuously beneath the action  
36 of the weapon, thumbhole stock, or vertical handgrip.

37    (7) A semiautomatic shotgun that has the ability to accept a  
38 detachable magazine.

1 (8) Any shotgun with a revolving cylinder.

2 (b) For purposes of this section, “fixed magazine” means an  
3 ammunition feeding device contained in, or permanently attached  
4 to, a firearm in such a manner that the device cannot be removed  
5 without disassembly of the firearm action.

6 ~~(b)~~

7 (c) The Legislature finds a significant public purpose in  
8 exempting from the definition of “assault weapon” pistols that are  
9 designed expressly for use in Olympic target shooting events.  
10 Therefore, those pistols that are sanctioned by the International  
11 Olympic Committee and by USA Shooting, the national governing  
12 body for international shooting competition in the United States,  
13 and that were used for Olympic target shooting purposes as of  
14 January 1, 2001, and that would otherwise fall within the definition  
15 of “assault weapon” pursuant to this section are exempt, as  
16 provided in subdivision-~~(e)~~: (d).

17 ~~(e)~~

18 (d) “Assault weapon” does not include either of the following:

19 (1) Any antique firearm.

20 (2) Any of the following pistols, because they are consistent  
21 with the significant public purpose expressed in subdivision-~~(b)~~:  
22 (c):

23	24 MANUFACTURER	25 MODEL	26 CALIBER
27	BENELLI	MP90	.22LR
28	BENELLI	MP90	.32 S&W LONG
29	BENELLI	MP95	.22LR
30	BENELLI	MP95	.32 S&W LONG
31	HAMMERLI	280	.22LR
32	HAMMERLI	280	.32 S&W LONG
33	HAMMERLI	SP20	.22LR
34	HAMMERLI	SP20	.32 S&W LONG
35	PARDINI	GPO	.22 SHORT
36	PARDINI	GP-SCHUMANN	.22 SHORT
37	PARDINI	HP	.32 S&W LONG
38	PARDINI	MP	.32 S&W LONG
39	PARDINI	SP	.22LR
40	PARDINI	SPE	.22LR
	WALTHER	GSP	.22LR

1	WALTHER	GSP	.32 S&W LONG
2	WALTHER	OSP	.22 SHORT
3	WALTHER	OSP-2000	.22 SHORT

4

5 (3) The Department of Justice shall create a program that is  
6 consistent with the purposes stated in subdivision ~~(b)~~ (c) to exempt  
7 new models of competitive pistols that would otherwise fall within  
8 the definition of “assault weapon” pursuant to this section from  
9 being classified as an assault weapon. The exempt competitive  
10 pistols may be based on recommendations by USA Shooting  
11 consistent with the regulations contained in the USA Shooting  
12 Official Rules or may be based on the recommendation or rules  
13 of any other organization that the department deems relevant.

14 *SEC. 2. Section 30680 is added to the Penal Code, to read:*

15 *30680. Section 30605 does not apply to the possession of an*  
16 *assault weapon by a person who has possessed the assault weapon*  
17 *prior to January 1, 2017, if all of the following are applicable:*

18 *(a) Prior to January 1, 2017, the person would have been*  
19 *eligible to register that assault weapon pursuant to subdivision*  
20 *(b) of Section 30900.*

21 *(b) The person lawfully possessed that assault weapon prior to*  
22 *January 1, 2017.*

23 *(c) The person registers the assault weapon by January 1, 2018,*  
24 *in accordance with subdivision (b) of Section 30900.*

25 *SEC. 3. Section 30900 of the Penal Code is amended to read:*

26 *30900. (a) (1) Any person who, prior to June 1, 1989, lawfully*  
27 *possessed an assault weapon, as defined in former Section 12276,*  
28 *as added by Section 3 of Chapter 19 of the Statutes of 1989, shall*  
29 *register the firearm by January 1, 1991, and any person who*  
30 *lawfully possessed an assault weapon prior to the date it was*  
31 *specified as an assault weapon pursuant to former Section 12276.5,*  
32 *as added by Section 3 of Chapter 19 of the Statutes of 1989 or as*  
33 *amended by Section 1 of Chapter 874 of the Statutes of 1990 or*  
34 *Section 3 of Chapter 954 of the Statutes of 1991, shall register the*  
35 *firearm within 90 days with the Department of Justice pursuant to*  
36 *those procedures that the department may establish.*

37 ~~(b)~~

38 (2) Except as provided in Section 30600, any person who  
39 lawfully possessed an assault weapon prior to the date it was  
40 defined as an assault weapon pursuant to former Section 12276.1,

1 as it read in Section 7 of Chapter 129 of the Statutes of 1999, and  
2 which was not specified as an assault weapon under former Section  
3 12276, as added by Section 3 of Chapter 19 of the Statutes of 1989  
4 or as amended at any time before January 1, 2001, or former  
5 Section 12276.5, as added by Section 3 of Chapter 19 of the  
6 Statutes of 1989 or as amended at any time before January 1, 2001,  
7 shall register the firearm by January 1, 2001, with the department  
8 pursuant to those procedures that the department may establish.

9 (e)

10 (3) The registration shall contain a description of the firearm  
11 that identifies it uniquely, including all identification marks, the  
12 full name, address, date of birth, and thumbprint of the owner, and  
13 any other information that the department may deem appropriate.

14 (d)

15 (4) The department may charge a fee for registration of up to  
16 twenty dollars (\$20) per person but not to exceed the ~~actual~~  
17 *reasonable* processing costs of the department. After the  
18 department establishes fees sufficient to reimburse the department  
19 for processing costs, fees charged shall increase at a rate not to  
20 exceed the legislatively approved annual cost-of-living adjustment  
21 for the department's budget or as otherwise increased through the  
22 ~~Budget Act. Act but not to exceed the reasonable costs of the~~  
23 *department*. The fees shall be deposited into the Dealers' Record  
24 of Sale Special Account.

25 (b) (1) *Any person who, from January 1, 2001, to December*  
26 *31, 2016, inclusive, lawfully possessed an assault weapon that*  
27 *does not have a fixed magazine, as defined in Section 30515,*  
28 *including those weapons with an ammunition feeding device that*  
29 *can be readily removed from the firearm with the use of a tool,*  
30 *shall register the firearm before January 1, 2018, but not before*  
31 *the effective date of the regulations adopted pursuant to paragraph*  
32 *(5), with the department pursuant to those procedures that the*  
33 *department may establish by regulation pursuant to paragraph*  
34 *(5).*

35 (2) *Registrations shall be submitted electronically via the*  
36 *Internet utilizing a public-facing application made available by*  
37 *the department.*

38 (3) *The registration shall contain a description of the firearm*  
39 *that identifies it uniquely, including all identification marks, the*  
40 *date the firearm was acquired, the name and address of the*



1 individual from whom, or business from which, the firearm was  
2 acquired, as well as the registrant's full name, address, telephone  
3 number, date of birth, sex, height, weight, eye color, hair color,  
4 and California driver's license number or California identification  
5 card number.

6 (4) The department may charge a fee in an amount of up to  
7 fifteen dollars (\$15) per person but not to exceed the reasonable  
8 processing costs of the department. The fee shall be paid by debit  
9 or credit card at the time that the electronic registration is  
10 submitted to the department. The fee shall be deposited in the  
11 Dealers' Record of Sale Special Account to be used for purposes  
12 of this section.

13 (5) The department shall adopt regulations for the purpose of  
14 implementing this subdivision. These regulations are exempt from  
15 the Administrative Procedure Act (Chapter 3.5 (commencing with  
16 Section 11340) of Part 1 of Division 3 of Title 2 of the Government  
17 Code).

18 SEC. 4. No reimbursement is required by this act pursuant to  
19 Section 6 of Article XIII B of the California Constitution because  
20 the only costs that may be incurred by a local agency or school  
21 district will be incurred because this act creates a new crime or  
22 infraction, eliminates a crime or infraction, or changes the penalty  
23 for a crime or infraction, within the meaning of Section 17556 of  
24 the Government Code, or changes the definition of a crime within  
25 the meaning of Section 6 of Article XIII B of the California  
26 Constitution.

27 SECTION 1. ~~It is the intent of the Legislature to effectuate the~~  
28 ~~intent of the Roberti-Roos Assault Weapons Control Act of 1989~~  
29 ~~and to close the bullet button loophole by redefining "detachable~~  
30 ~~magazine," as used in Section 30515 of the Penal Code, to include~~  
31 ~~an ammunition feeding device that can be readily removed from~~  
32 ~~the firearm with the use of a tool.~~

33 SEC. 2. ~~Section 30515 of the Penal Code is amended to read:~~  
34 ~~30515. (a) Notwithstanding Section 30510, "assault weapon"~~  
35 ~~also means any of the following:~~

36 ~~(1) A semiautomatic centerfire rifle that has the capacity to~~  
37 ~~accept a detachable magazine and any one of the following:~~

38 ~~(A) A pistol grip that protrudes conspicuously beneath the action~~  
39 ~~of the weapon.~~

40 ~~(B) A thumbhole stock.~~

- 1 ~~(C) A folding or telescoping stock.~~  
2 ~~(D) A grenade launcher or flare launcher.~~  
3 ~~(E) A flash suppressor.~~  
4 ~~(F) A forward pistol grip.~~  
5 ~~(2) A semiautomatic centerfire rifle that has a fixed magazine~~  
6 ~~with the capacity to accept more than 10 rounds.~~  
7 ~~(3) A semiautomatic centerfire rifle that has an overall length~~  
8 ~~of less than 30 inches.~~  
9 ~~(4) A semiautomatic pistol that has the capacity to accept a~~  
10 ~~detachable magazine and any one of the following:~~  
11 ~~(A) A threaded barrel, capable of accepting a flash suppressor,~~  
12 ~~forward handgrip, or silencer.~~  
13 ~~(B) A second handgrip.~~  
14 ~~(C) A shroud that is attached to, or partially or completely~~  
15 ~~encircles, the barrel that allows the bearer to fire the weapon~~  
16 ~~without burning the bearer's hand, except a slide that encloses the~~  
17 ~~barrel.~~  
18 ~~(D) The capacity to accept a detachable magazine at some~~  
19 ~~location outside of the pistol grip.~~  
20 ~~(5) A semiautomatic pistol with a fixed magazine that has the~~  
21 ~~capacity to accept more than 10 rounds.~~  
22 ~~(6) A semiautomatic shotgun that has both of the following:~~  
23 ~~(A) A folding or telescoping stock.~~  
24 ~~(B) A pistol grip that protrudes conspicuously beneath the action~~  
25 ~~of the weapon, thumbhole stock, or vertical handgrip.~~  
26 ~~(7) A semiautomatic shotgun that has the ability to accept a~~  
27 ~~detachable magazine.~~  
28 ~~(8) Any shotgun with a revolving cylinder.~~  
29 ~~(b) For purposes of this section, "detachable magazine" means~~  
30 ~~an ammunition feeding device that can be removed readily from~~  
31 ~~the firearm without disassembly of the firearm action, including~~  
32 ~~an ammunition feeding device that can be removed readily from~~  
33 ~~the firearm with the use of a tool.~~  
34 ~~(c) The Legislature finds a significant public purpose in~~  
35 ~~exempting from the definition of "assault weapon" pistols that are~~  
36 ~~designed expressly for use in Olympic target shooting events.~~  
37 ~~Therefore, those pistols that are sanctioned by the International~~  
38 ~~Olympic Committee and by USA Shooting, the national governing~~  
39 ~~body for international shooting competition in the United States,~~  
40 ~~and that were used for Olympic target shooting purposes as of~~

1 January 1, 2001, and that would otherwise fall within the definition  
2 of “assault weapon” pursuant to this section are exempt, as  
3 provided in subdivision (d).

4 (d) “Assault weapon” does not include either of the following:

5 (1) Any antique firearm.

6 (2) Any of the following pistols, because they are consistent  
7 with the significant public purpose expressed in subdivision (c):

8	9 MANUFACTURER	MODEL	CALIBER
10			
11	BENELLI	MP90	.22LR
12	BENELLI	MP90	.32 S&W LONG
13	BENELLI	MP95	.22LR
14	BENELLI	MP95	.32 S&W LONG
15	HAMMERLI	280	.22LR
16	HAMMERLI	280	.32 S&W LONG
17	HAMMERLI	SP20	.22LR
18	HAMMERLI	SP20	.32 S&W LONG
19	PARDINI	GPO	.22 SHORT
20	PARDINI	GP-SCHUMANN	.22 SHORT
21	PARDINI	HP	.32 S&W LONG
22	PARDINI	MP	.32 S&W LONG
23	PARDINI	SP	.22LR
24	PARDINI	SPE	.22LR
25	WALTHER	GSP	.22LR
26	WALTHER	GSP	.32 S&W LONG
27	WALTHER	OSP	.22 SHORT
28	WALTHER	OSP-2000	.22 SHORT

29  
30 (3) ~~The Department of Justice shall create a program that is~~  
31 ~~consistent with the purposes stated in subdivision (c) to exempt~~  
32 ~~new models of competitive pistols that would otherwise fall within~~  
33 ~~the definition of “assault weapon” pursuant to this section from~~  
34 ~~being classified as an assault weapon. The exempt competitive~~  
35 ~~pistols may be based on recommendations by USA Shooting~~  
36 ~~consistent with the regulations contained in the USA Shooting~~  
37 ~~Official Rules or may be based on the recommendation or rules~~  
38 ~~of any other organization that the department deems relevant.~~

39 SEC. 3. Section 30680 is added to the Penal Code, to read:

1     ~~30680. Notwithstanding the meaning of “assault weapon” under~~  
2 ~~Section 30515, as amended by the act that added this section,~~  
3 ~~Section 30605 shall not apply to the possession of an assault~~  
4 ~~weapon by a person who initially possessed the assault weapon~~  
5 ~~prior to January 1, 2017, until July 1, 2018, if all of the following~~  
6 ~~are applicable:~~

7     ~~(a) During the person’s possession, the person was eligible to~~  
8 ~~register that assault weapon pursuant to subdivision (b) of Section~~  
9 ~~30900.~~

10    ~~(b) The person lawfully possessed that assault weapon prior to~~  
11 ~~January 1, 2017.~~

12    ~~SEC. 4. Section 30900 of the Penal Code is amended to read:~~

13    ~~30900. (a) (1) A person who, prior to June 1, 1989, lawfully~~  
14 ~~possessed an assault weapon, as defined in former Section 12276,~~  
15 ~~as added by Section 3 of Chapter 19 of the Statutes of 1989, shall~~  
16 ~~register the firearm by January 1, 1991, and a person who lawfully~~  
17 ~~possessed an assault weapon prior to the date it was specified as~~  
18 ~~an assault weapon pursuant to former Section 12276.5, as added~~  
19 ~~by Section 3 of Chapter 19 of the Statutes of 1989 or as amended~~  
20 ~~by Section 1 of Chapter 874 of the Statutes of 1990 or Section 3~~  
21 ~~of Chapter 954 of the Statutes of 1991, shall register the firearm~~  
22 ~~within 90 days with the Department of Justice pursuant to those~~  
23 ~~procedures that the department may establish.~~

24    ~~(2) Except as provided in Section 30600, a person who lawfully~~  
25 ~~possessed an assault weapon prior to the date it was defined as an~~  
26 ~~assault weapon pursuant to former Section 12276.1, as it read in~~  
27 ~~Section 7 of Chapter 129 of the Statutes of 1999, and which was~~  
28 ~~not specified as an assault weapon under former Section 12276,~~  
29 ~~as added by Section 3 of Chapter 19 of the Statutes of 1989 or as~~  
30 ~~amended at any time before January 1, 2001, or former Section~~  
31 ~~12276.5, as added by Section 3 of Chapter 19 of the Statutes of~~  
32 ~~1989 or as amended at any time before January 1, 2001, shall~~  
33 ~~register the firearm by January 1, 2001, with the department~~  
34 ~~pursuant to those procedures that the department may establish.~~

35    ~~(3) The registration shall contain a description of the firearm~~  
36 ~~that identifies it uniquely, including all identification marks, the~~  
37 ~~full name, address, date of birth, and thumbprint of the owner, and~~  
38 ~~any other information that the department may deem appropriate.~~

39    ~~(4) The department may charge a fee for registration of up to~~  
40 ~~twenty dollars (\$20) per person but not to exceed the reasonable~~

1 processing costs of the department. After the department establishes  
2 fees sufficient to reimburse the department for processing costs,  
3 fees charged shall increase at a rate not to exceed the legislatively  
4 approved annual cost-of-living adjustment for the department's  
5 budget or as otherwise increased through the Budget Act, but not  
6 to exceed the reasonable processing costs of the department. The  
7 fees shall be deposited into the Dealers' Record of Sale Special  
8 Account.

9 (b) (1) A person who, from January 1, 2001, to December 31,  
10 2016, inclusive, lawfully possessed an assault weapon with an  
11 ammunition feeding device that can be removed readily from the  
12 firearm without disassembly of the firearm action, as defined in  
13 Section 30515, including those weapons with an ammunition  
14 feeding device that can be removed readily from the firearm with  
15 the use of a tool, shall register the firearm before July 1, 2018, but  
16 not before the effective date of the regulations adopted pursuant  
17 to paragraph (5), with the department pursuant to those procedures  
18 that the department may establish by regulation pursuant to  
19 paragraph (5).

20 (2) Registrations shall be submitted electronically via the  
21 Internet utilizing a public-facing application made available by  
22 the department.

23 (3) The registration shall contain a description of the firearm  
24 that identifies it uniquely, including all identification marks, the  
25 date the firearm was acquired, the name and address of the  
26 individual from whom, or business from which, the firearm was  
27 acquired, as well as the registrant's full name, address, telephone  
28 number, date of birth, sex, height, weight, eye color, hair color,  
29 and California driver's license number or California identification  
30 card number.

31 (4) The department may charge a fee of no more than the  
32 reasonable processing costs of the department. The fee shall be  
33 paid by debit or credit card at the time that the electronic  
34 registration is submitted to the department. The fee shall be  
35 deposited in the Dealers' Record of Sale Special Account.

36 (5) The department shall adopt regulations for the purpose of  
37 implementing this subdivision. These regulations shall be exempt  
38 from the Administrative Procedure Act.

39 SEC. 5. No reimbursement is required by this act pursuant to  
40 Section 6 of Article XIII B of the California Constitution because

1 ~~the only costs that may be incurred by a local agency or school~~  
2 ~~district will be incurred because this act creates a new crime or~~  
3 ~~infraction, eliminates a crime or infraction, or changes the penalty~~  
4 ~~for a crime or infraction, within the meaning of Section 17556 of~~  
5 ~~the Government Code, or changes the definition of a crime within~~  
6 ~~the meaning of Section 6 of Article XIII B of the California~~  
7 ~~Constitution.~~

O