

10-29-2013

## Firearms Regulation. Initiative Constitutional Amendment.

Follow this and additional works at: [http://repository.uchastings.edu/ca\\_ballot\\_inits](http://repository.uchastings.edu/ca_ballot_inits)

---

### Recommended Citation

Firearms Regulation. Initiative Constitutional Amendment. California Initiative 1619 (2013).  
[http://repository.uchastings.edu/ca\\_ballot\\_inits/1828](http://repository.uchastings.edu/ca_ballot_inits/1828)

This Initiative is brought to you for free and open access by the California Ballot Propositions and Initiatives at UC Hastings Scholarship Repository. It has been accepted for inclusion in Initiatives by an authorized administrator of UC Hastings Scholarship Repository. For more information, please contact [marcusc@uchastings.edu](mailto:marcusc@uchastings.edu).

**CALIFORNIA GUN RIGHTS**

PO Box 596, Rancho Murieta, 95683

October 16, 2013

Via Personal Delivery

The Honorable Kamala Harris  
Attorney General, State of California  
1300 I Street, Suite 125  
P. O. Box 944255  
Sacramento, CA 94244-2550

**RECEIVED**

OCT 29 2013

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

Attention: Ms. Ashley Johansson, Initiative Coordinator, Office of the Attorney General.  
916-445-4752, Fax 916-324-8835, Ashley.Johansson @doj.ca.gov

Re: Proposed Initiative Constitutional Amendment: CALIFORNIA GUN RIGHTS  
ACT

EXHIBIT D

Dear Attorney General Harris:

Re: Proposed Initiative Constitutional Amendment: CALIFORNIA GUN RIGHTS

Dear Attorney General Harris:

Pursuant to the California Elections Code, Section 9002, I respectfully request that the Attorney General prepare an unbiased title and summary for the attached measure. Enclosed is the \$200 filing fee as required by Section 9002.

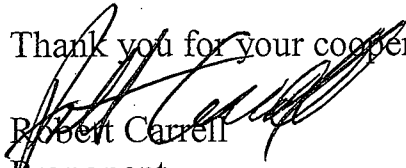
I am registered to vote in Placer County, State of California. Attached Exhibit A. Attached Exhibit B is the acknowledgement of the proponent as required of the Election Code, Section 9608. Attached C is suggested Title and Summary.

Please direct all correspondence and inquiries regarding this initiative to  
**CALIFORNIA GUN RIGHTS**

Attn: Tony Andrade  
Project Manager  
PO Box 596, Rancho Murieta, 95683  
916-230-2123.

If there is any further information I can provide please do not hesitate to call.

Thank you for your cooperation,



Robert Carrell  
Proponent

# CALIFORNIA GUN RIGHTS ACT

PO Box 596, Rancho Murrieta, 95683  
gunrights@att.net

## CALIFORNIA GUN RIGHTS ACT: Constitutional Amendment Initiative

### Title: CALIFORNIA DECLARATION OF GUN RIGHTS ACT

SECTION 1, Section 32 is added to Article I of the California Constitution to read:

SEC.32. (a) (1) Individuals have the right to acquire, possess, transport, transfer, and use firearms for lawful purposes that includes hunting, sports shooting and for the common defense of self, family, home, and property. The State shall not enact laws that infringe or deny the right of the individuals to keep and bear arms as guaranteed by the 2nd Amendment to the United States Constitution.

(2) The State may enact laws to prohibit or otherwise regulate the possession of firearms and ammunition by, or the sale or transfer of firearms to, an individual; who is determined to be a danger to himself, herself, or others as a result of mental illness or mental disorder, or who has been adjudged a mentally disorder sex offender, or who is a felon.

(3) The State may enact laws to prohibit or regulate the possession of handguns by, or the sale or transfer of handguns to, individuals who are under 21 years of age.

(4) The State may enact laws to prohibit armor piercing, explosive, and Teflon-coated ammunition unless permitted under Federal regulations.

(5) The State may enact laws to regulate the carrying of concealed firearms in public, including, but not limited to, the issuance of concealed firearm permits, provided that those laws do not impose a total ban on the carrying of a concealed firearm. The State or any political subdivision of the State shall not disclose to the public the personal information of concealed firearm permit holders.

(6) The State may enact laws that require background checks for the purchase and delivery of any firearm.

(7) The State may enact laws to regulate the possession, transfer, manufacture, or sale of fully automatic firearms that continuously fire rounds whilst the trigger is pressed unless permitted under Federal regulations.

(8) Neither the State nor any other political subdivision of the State shall impose a special tax, levy, charge, exaction, or regulatory fee on the sale of firearms, ammunition, or firearms accessories, except for the statewide sales

# CALIFORNIA GUN RIGHTS ACT

3

PO Box 596, Rancho Murrieta, 95683

gunrights@att.net

tax. The prohibition in this subdivision applies regardless of whether the special tax, levy, charge, exaction, or regulatory fee is to be payable to a governmental entity or a third party.

(9) The State may enact laws to allow a government entity to temporarily seize firearm (1) in circumstances of alleged domestic violence, for a period not to exceed 72 hours, or (2) for a reasonable period of time to determine whether return of the firearm would be appropriate when an individual is taken into custody because of a mental disorder or mental illness, or for purposes of evaluating the individual to make that determination. Neither the State nor any political subdivision of the State shall confiscate a firearm, except that the State may enact laws to authorize a government entity to seize a firearm that is (1) involved or suspected of being involved in a crime, (2) contraband or otherwise illegal, or (3) stolen. The restrictions in this section do not limit the operation or effect of a law that prohibits the commission of a crime while in possession of a firearm.

(10) Neither the State nor any political subdivision of the State shall require firearm or firearm owner registration, except as required by federal law.

(11) Neither the State nor any political subdivision of State shall require registration or fingerprinting for the purchase or transfer of ammunition or firearms accessories.

(12) (1) Neither the State nor any political subdivision of the State shall prohibit or regulate ammunition, clips or magazines, or the lead content of ammunition, except as provided in this section. (2) The State may enact laws to prohibit or regulate the use of ammunition containing lead within the habitat of the California condor.

(13) (a) Except as required by federal law or as described in subdivision (a) neither the State nor any political subdivision of the State shall restrict possession, sale, or transfer of any of the following: (1) A semiautomatic, centerfire rifle that has the capacity to accept a magazine, whether detachable or fixed, and has any one of the following: (A) A pistol grip that protrudes conspicuously beneath the action of the weapon. (B) A thumbhole stock. (C) A folding or telescoping stock. (D) A forward pistol grip. (E) A flash suppresser.

(b) A semiautomatic, centerfire rifle that has a magazine, whether detachable or fixed, with capacity to accept more than 10 rounds.

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

# CALIFORNIA GUN RIGHTS ACT

4

PO Box 596, Rancho Murrieta, 95683

gunrights@att.net

(d) A semiautomatic pistol that has the capacity to accept a magazine, whether detachable or fixed, and any of the following: (A) A treaded barrel, capable of accepting a flash suppressor, forward hand grip. (B) A second hand grip. (C) A shroud that is attached to or partially or completely encircles, the barrel that allows the bearer to fire the weapon without burning the bearer's hand, except a slide encloses the barrel. (D) The capacity to accept a magazine, whether detachable or fixed, at some location outside of the pistol grip.

(e) A semiautomatic pistol with a magazine, whether detachable or fixed, with capacity to accept more than 10 rounds.

(f) A semiautomatic shotgun that both of the following: (A) A folding or telescoping stock. (B) A pistol grip that protrudes conspicuously beneath the action of the weapon, thumbhole stock, or vertical handgrip.

(g) A semiautomatic shotgun that has the ability to accept a magazine, whether detachable or fixed.

SECTION.2. Existing laws that are in conflict with this section are void to the extent of any conflict.

SECTION.3. If any provisions of this act, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining provisions shall not be affected, but shall remain in full force and effect and to this end the provisions of this act are severable.

END