

EXHIBIT A

Date of Hearing: August 20, 2003

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Darrell Steinberg, Chair

SB 489 (Scott) - As Amended: August 18, 2003

Policy Committee: Public Safety

Vote: 4-3

Urgency: No

State Mandated Local Program: Yes

Reimbursable: No

SUMMARY

This bill requires all center-fire semiautomatic pistols not already listed on the Department of Justice (DOJ) roster of approved "safe" firearms to have chamber load indicators and magazine disconnect mechanisms if the pistol has a detachable magazine. Specifically, this bill:

- 1) Requires, beginning January 1, 2006, all center-fire semiautomatic pistols not already on the DOJ "safe" list to have either a chamber load indicator or a magazine disconnect mechanism, if the gun has a detachable magazine, in order to be included on the DOJ list of "safe" guns.
- 2) Requires, beginning January 1, 2007, all center-fire semiautomatic pistols not already on the DOJ "safe" list to have both a chamber load indicator and a magazine disconnect mechanism, if the gun has a detachable magazine, in order to be included on the DOJ list of "safe" guns.
- 3) Requires, beginning January 1, 2006, all rimfire semiautomatic pistols not already on the "safe" list to have a magazine disconnect mechanism, if the pistol has a detachable magazine, in order to be included on the DOJ list of "safe" guns.
- 4) Defines chamber load indicator as a device that plainly indicates a cartridge is in the firing chamber. A device satisfies this definition if it is readily visible, has explanatory text or graphics, and is designed to indicate, without requiring reference to any resource other than the gun itself, whether a cartridge is in the firing chamber.
- 5) Defines a magazine disconnect mechanism as a mechanism that prevents a semiautomatic pistol from striking the primer of the ammunition in the firing chamber when a detachable magazine is not inserted in the gun.

FISCAL EFFECT

Absorbable one-time costs - likely less than \$25,000 - to the DOJ to develop definitional regulations.

COMMENTS

- 1) Rationale. According to the author and proponents, many of the thousands of gun injuries and deaths are the result of unintentional shootings by persons who thought the guns were not loaded.

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Gun users may be unaware that semiautomatic weapons can be fired when their loading mechanism - the magazine - is removed or emptied. A live round of ammunition may remain in the chamber of the gun after the magazine is removed. When the trigger of a semiautomatic gun with a live round in its chamber is pulled, it will fire even though it does not have a magazine inserted, unless the gun has a magazine disconnect mechanism.

The author cites a 1997 survey by the Johns Hopkins Center for Gun Policy and Research and the National Opinion Research Center that found almost 35% of respondents did not know a gun could be fired or believed that a gun could not be fired with the magazine removed. Twenty-eight percent of those respondents lived in households where guns were present.

- 2) Current law makes it a misdemeanor, punishable by up to one year in county jail, to manufacture or import into California any unsafe handgun, except as specified. An unsafe handgun is defined as a concealable gun that does not have a specified safety device and does not meet specified safety requirements. The DOJ is required to maintain a list of all concealable guns deemed "safe."
- 3) Support. The Brady Campaign to Prevent Gun Violence states, "It is just common sense that handguns should include a chamber load indicator that makes it clear whether the weapon is loaded. Since cheap disposable cameras can clearly count down the number of pictures left, it is inexcusable that handguns do not indicate when a bullet is in the chamber. Magazine safety disconnects would also greatly reduce the number of unintentional accidental shootings by ensuring that when the magazine is removed the gun will not fire."
- 4) Opposition. The California Rifle and Pistol Association states, "SB 489 would result in the price of pistols unnecessarily increasing in the California marketplace, thus creating another economic barrier to consumers caused by mandated items of questionable value. Chamber load indicators would not be likely to improve public safety as persons who are not familiar with firearms would not know what they are, regardless of design, nor their significance."

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