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Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBERS DESLEY BROOKS, AND REBECCA KAPLAN

**RESOLUTION IN SUPPORT OF SENATE BILL 1446 (HANCOCK)
THAT WOULD PROHIBIT POSSESSION OF LARGE CAPACITY
AMMUNITION MAGAZINES**

WHEREAS, The federal assault weapons ban in 1994 outlawed possession of high capacity magazines as part of the 1994 federal assault weapons ban but allowed current owners to maintain possession under a "grandfathering" provision, and

WHEREAS, Prior to this ban, high capacity magazines were used in between 14 and 26% of guns used in crimes; and

WHEREAS, the California legislature passed Senate Bill 23 (Perata) in 1999 that prohibited the importation, manufacture and sale of large capacity ammunition magazines under a generic definition of assault weapon but did not prohibit the possession of high capacity magazine; and

WHEREAS, Existing law defines "high capacity" to mean the capacity to accept or accommodate more than 10 rounds of ammunition but does not apply to an altered feeding device; and

WHEREAS, The City of Oakland continues to deal with a high number of crimes including homicides reportedly involving firearms; and

WHEREAS, Senate Bill (SB) 1446 (Hancock) would revise the existing law which prohibits the sale, gift, and loan of a large capacity magazine to include within that definition to mean, magazines capable of holding more than 10 rounds of ammunition, and

WHEREAS, SB 1446 would further require a person in lawful possession of large capacity magazines prior to July 1, 2017 to dispose of magazines by one of four means provided in the new law; now, therefore, be it

RESOLVED: That the Oakland City Council hereby endorses SB 1446 and urges the California State Legislature and Governor Jerry Brown to support its enactment into law.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, AND
PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California