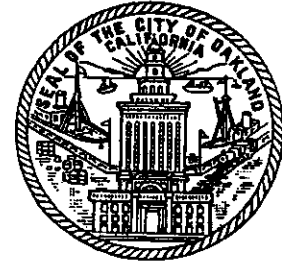


OFFICE OF THE CITY CLERK

**CITY OF OAKLAND
BILL ANALYSIS**



Date: 2007 JUN 28 PM 8:30
June 28, 2007

Bill Number: Assembly 334

Bill Author: Lloyd E. Levine

DEPARTMENT INFORMATION

Contact: Howard A. Jordan, Deputy Chief of Police

Department: Police

Telephone: (510) 238-7519 **FAX #** 510-238-2251

E-mail: hjordan@oaklandnet.com

RECOMMENDED POSITION: (SUPPORT, SUPPORT IF AMENDED, NEUTRAL, WATCH, OPPOSE, NOT RELEVANT)

Summary of the Bill

AB334 would amend Penal Code section 12001 and add section 12043 to require a handgun owner to report a stolen or irretrievably lost handgun within five working days of the discovery to a local law enforcement agency.

This Bill also requires firearms dealers to post a sign warning that any person who fails to report the lost or theft of a handgun to law enforcement within five days after the loss or theft may be guilty of an infraction.

Positive Factors for Oakland

- AB 334 will allow investigators and prosecutors to pursue additional charges against persons who frequently purchase guns legally then sell them on the *black market* to criminals.
- Prosecution of registered gun owners can be avoided when guns are traced back to them, and they can prove that the gun was reported lost or stolen before the crime occurred.
- AB 334 will reduce the diversion of guns from the legal market to the illegal market and into the hands of prohibited purchasers, including felons and gang members.

Negative Factors for Oakland

At present, AB 334 contains some procedural issues that must be resolved by the author before it can progress, which include:

Item: _____
Rules & Legislation Comte.
June 28, 2007

- There is no provision in the Bill outlining a requirement of specific information that must be provided in reference to the firearm being reported by a citizen as stolen or missing.

Note: The City of Oakland passed similar legislation under the Oakland Municipal Code Section 9.36.131- Theft or loss of firearms - Reporting of stolen and /or lost firearms. However, this legislation is more restrictive than AB 334 as it requires gun owners to report their lost or stolen firearms to the police within 48 hrs. This section also makes it a misdemeanor versus an infraction if convicted of this violation.

PLEASE RATE THE EFFECT OF THIS MEASURE ON THE CITY OF OAKLAND:

Critical (top priority for the City lobbyist, city position required ASAP)

Very Important (priority for City lobbyist, city position necessary)

Somewhat Important (City position desirable if time and resources are available)

Minimal or None (do not review with City Council, position not required)

Known support:

The Brady Campaign to Prevent Gun Violence, and the Million Mom March are both in support of AB 334.

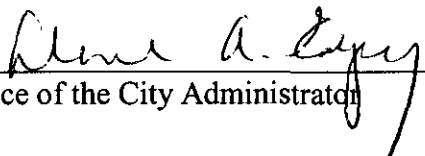
Known Opposition:

National Rifle Association (NRA)

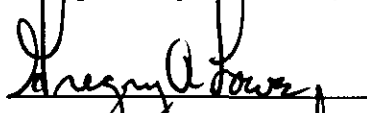
Attach bill text and state/federal legislative committee analysis, if available.

Assembly Bill # 334 and Analysis Attached

APPROVED AND FORWARDED TO THE
RULES AND LEGISLATION COMMITTEE:


Office of the City Administrator

Respectfully Submitted,


Wayne G. Tucker
Chief of Police *for WGT*

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Assembly
California Legislature

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6150 Van Nuys Blvd., Suite 300
Van Nuys, CA 91401
Phone: (818) 904-3840
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assemblymember.levine@assembly.ca.gov

LLOYD E. LEVINE
Assemblymember, Fortieth District

Assembly Bill 334

Lost and Stolen Firearm Notification Act

Purpose of the bill:

Provide law enforcement agencies with better information regarding the ownership of handguns in order to prevent gun trafficking.

What the bill does:

Requires a handgun owner to report to a local law enforcement agency a stolen or irretrievably lost handgun within five working days of the discovery.

Requires firearms dealers to post a sign warning that any person who fails to report the lost or theft of a handgun to law enforcement within 5 days after the loss or theft may be guilty of an infraction.

Background:

Requiring notification of lost and stolen firearms is the single most effective way to prevent those who are not legally allowed to own a gun from obtaining one.

According to the CA Attorney General's Office, "the vast majority of new guns enter the market legally." However, guns can move into the illegal market by traffickers-- people who can purchase guns legally and then sell them to people who cannot. One way this happens is that traffickers use the "it was stolen" excuse: a crime gun is traced back to the person who legally purchased the gun and, when the owner is asked how his gun got to the person who committed the crime, he says that the gun was stolen. Prosecution of these traffickers is then not possible because our laws do not require reporting of stolen firearms. Implementing a reporting requirement would dramatically impact the black market for firearms.

Supporting Facts:

- More than one-quarter of all guns connected with the Bureau of Alcohol, Tobacco and Firearms investigations of illegal gun trafficking were reported to have been stolen. Requiring a gun owner to promptly report gun thefts to police, as some states do, minimizes a barrier to the effective prosecution of individuals who illegally sell guns to criminals.
- The lack of a reporting requirement was raised most recently at an interim hearing before the Assembly Select Committee on Gun Violence.
- Michigan and New York already require gun owners to report lost or stolen firearms.

California Chapters



Brady Campaign To Prevent Gun Violence

Our Vision:

*To create an America free
from gun violence, where
all are safe at home,
at work, at school,
and in our communities.*

CALIFORNIA STATE COUNCIL

P.O. Box 892
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May 6, 2007

The Honorable Lloyd Levine
California State Assembly
P.O. Box 942849
Sacramento, CA 94249

Dear Assembly Member Levine,

Support: AB 334 - Lost and Stolen Firearm Notification Act

The California Chapters of the Brady Campaign to Prevent Gun Violence is a grassroots organization working to reduce firearm violence. There are chapters throughout the state, many of whose members have lost a loved one to gunfire. In furtherance of our goal to reduce firearm violence in our communities, the California Brady Campaign Chapters strongly support AB 334.

Assembly Bill 334 would require that any person acquiring a handgun after July 1, 2008 must make a report to local law enforcement when the handgun is stolen or irretrievably lost. Any person failing to make the report within five working days after the discovery of the theft or loss shall be guilty of an infraction and subject to fines. The bill further requires that dealers provide a written notice of the reporting requirement to the recipient of the handgun, which must be verified by a signed and dated affidavit.

The reporting of lost or stolen handguns to law enforcement is an essential step in curbing the illegal gun market in California. These missing weapons are frequently fed into the illegal gun market by traffickers and later used in crime. The reporting of lost or stolen handguns would assist in the identification and prosecution of "straw buyers", who often claim that a gun was stolen when in fact it was sold into the illegal market. The diversion of guns from the legal market to the illegal market and into the hands of prohibited purchasers, including felons and gang members, would be reduced by this reporting requirement.

Required reporting of a lost or stolen handgun would facilitate the recovery of the stolen property. In addition, by making such a report, a law abiding gun owner is protected from suspicion when their stolen weapon is later associated with a crime.

Assembly Bill 334 intends to increase gun owner accountability and deter the illegal transfer of guns and the criminal use of guns. The California Brady Campaign Chapters seek to keep firearms out of the hands of prohibited purchasers, who by past behaviors are considered to be at risk of committing firearm violence. AB 334 would be an important step in achieving this goal and enhancing the public safety in our state. Thank you for introducing this important legislation.

Sincerely,

Amanda and Nick Wilcox
Legislative Co-Chairs
California Brady Campaign Chapters

BILL NUMBER: AB 334 INTRODUCED
BILL TEXT

INTRODUCED BY Assembly Member Levine

FEBRUARY 13, 2007

An act to amend Section 12001 of, and to add Section 12043 to, the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

AB 334, as introduced, Levine. Firearms: loss and theft.

Existing law defines "firearm" and provides that for certain purposes, including certain offenses, "firearm" includes the frame or receiver of the weapon.

This bill would provide that the term "firearm" also includes the frame or receiver of the weapon for purposes of the offense of failure to report a stolen or lost firearm.

Existing law generally regulates the possession of firearms.

This bill would make it an infraction for any person whose handgun is stolen or irretrievably lost to, within 5 working days after his or her discovery or knowledge of, or within 5 working days after the date he or she should reasonably have known of, the theft or loss, fail to report the theft or loss to a local law enforcement agency of the jurisdiction in which the theft or loss occurred or in which the person resides. The bill would require specified notices of this requirement to persons acquiring handguns after July 1, 2008, as specified. The bill would provide that local governments are not prohibited from enacting ordinances imposing reporting requirements that are more strict than those specified in the bill. The bill would require the Attorney General, in cooperation with law enforcement agencies and firearms-related organizations to develop a protocol for the implementation of these provisions, as specified, on or before April 1, 2008.

By creating a new crime, this bill would impose a state-mandated local program.

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:

SECTION 1. Section 12001 of the Penal Code is amended to read:

12001. (a) (1) As used in this title, the terms "pistol," "revolver," and "firearm capable of being concealed upon the person" shall apply to and include any device designed to be used as a weapon, from which is expelled a projectile by the force of any explosion, or other form of combustion, and that has a barrel less than 16 inches in length. These terms also include any device that has a barrel 16 inches or more in length which is designed to be

interchanged with a barrel less than 16 inches in length.

(2) As used in this title, the term "handgun" means any "pistol," "revolver," or "firearm capable of being concealed upon the person."

(b) As used in this title, "firearm" means any device, designed to be used as a weapon, from which is expelled through a barrel, a projectile by the force of any explosion or other form of combustion.

(c) As used in Sections 12021, 12021.1, 12043, 12070, 12071, 12072, 12073, 12078, 12101, and 12801 of this code, and Sections 8100, 8101, and 8103 of the Welfare and Institutions Code, the term "firearm" includes the frame or receiver of the weapon.

(d) For the purposes of Sections 12025 and 12031, the term "firearm" also shall include any rocket, rocket propelled projectile launcher, or similar device containing any explosive or incendiary material whether or not the device is designed for emergency or distress signaling purposes.

(e) For purposes of Sections 12043, 12070, 12071, and paragraph (8) of subdivision (a), and subdivisions (b), (c), (d), and (f) of Section 12072, the term "firearm" does not include an unloaded firearm that is defined as an "antique firearm" in Section 921(a)(16) of Title 18 of the United States Code.

(f) Nothing shall prevent a device defined as a "handgun," "pistol," "revolver," or "firearm capable of being concealed upon the person" from also being found to be a short-barreled shotgun or a short-barreled rifle, as defined in Section 12020.

(g) For purposes of Sections 12551 and 12552, the term "BB device" means any instrument that expels a projectile, such as a BB or a pellet, not exceeding 6mm caliber, through the force of air pressure, gas pressure, or spring action, or any spot marker gun.

(h) As used in this title, "wholesaler" means any person who is licensed as a dealer pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto who sells, transfers, or assigns firearms, or parts of firearms, to persons who are licensed as manufacturers, importers, or gunsmiths pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code, or persons licensed pursuant to Section 12071, and includes persons who receive finished parts of firearms and assemble them into completed or partially completed firearms in furtherance of that purpose.

"Wholesaler" shall not include a manufacturer, importer, or gunsmith who is licensed to engage in those activities pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code or a person licensed pursuant to Section 12071 and the regulations issued pursuant thereto. A wholesaler also does not include those persons dealing exclusively in grips, stocks, and other parts of firearms that are not frames or receivers thereof.

(i) As used in Section 12071 or 12072, "application to purchase" means any of the following:

(1) The initial completion of the register by the purchaser, transferee, or person being loaned the firearm as required by subdivision (b) of Section 12076.

(2) The initial completion and transmission to the department of the record of electronic or telephonic transfer by the dealer on the purchaser, transferee, or person being loaned the firearm as required by subdivision (c) of Section 12076.

(j) For purposes of Section 12023, a firearm shall be deemed to be "loaded" whenever both the firearm and the unexpended ammunition capable of being discharged from the firearm are in the immediate possession of the same person.

(k) For purposes of Sections 12021, 12021.1, 12025, 12070, 12072,

12073, 12078, 12101, and 12801 of this code, and Sections 8100, 8101, and 8103 of the Welfare and Institutions Code, notwithstanding the fact that the term "any firearm" may be used in those sections, each firearm or the frame or receiver of the same shall constitute a distinct and separate offense under those sections.

(l) For purposes of Section 12020, a violation of that section as to each firearm, weapon, or device enumerated therein shall constitute a distinct and separate offense.

(m) Each application that requires any firearms eligibility determination involving the issuance of any license, permit, or certificate pursuant to this title shall include two copies of the applicant's fingerprints on forms prescribed by the Department of Justice. One copy of the fingerprints may be submitted to the United States Federal Bureau of Investigation.

(n) As used in this chapter, a "personal handgun importer" means an individual who meets all of the following criteria:

(1) He or she is not a person licensed pursuant to Section 12071.

(2) He or she is not a licensed manufacturer of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code.

(3) He or she is not a licensed importer of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.

(4) He or she is the owner of a ~~pistol, revolver, or other firearm capable of being concealed upon the person handgun~~.

(5) He or she acquired that ~~pistol, revolver, or other firearm capable of being concealed upon the person handgun~~ outside of California.

(6) He or she moves into this state on or after January 1, 1998, as a resident of this state.

(7) He or she intends to possess that ~~pistol, revolver, or other firearm capable of being concealed upon the person handgun~~ within this state on or after January 1, 1998.

(8) The ~~pistol, revolver, or other firearm capable of being concealed upon the person handgun~~ was not delivered to him or her by a person licensed pursuant to Section 12071 who delivered that firearm following the procedures set forth in Section 12071 and subdivision (c) of Section 12072.

(9) He or she, while a resident of this state, had not previously reported his or her ownership of that ~~pistol, revolver, or other firearm capable of being concealed upon the person handgun~~ to the Department of Justice in a manner prescribed by the department that included information concerning him or her and a description of the firearm.

(10) The ~~pistol, revolver, or other firearm capable of being concealed upon the person handgun~~ is not a firearm that is prohibited by subdivision (a) of Section 12020.

(11) The ~~pistol, revolver, or other firearm capable of being concealed upon the person handgun~~ is not an assault weapon, as defined in Section 12276 or 12276.1.

(12) The ~~pistol, revolver, or other firearm capable of being concealed upon the person handgun~~ is not a machinegun, as defined in Section 12200.

(13) The person is 18 years of age or older.

(o) For purposes of paragraph (6) of subdivision (n):

(1) Except as provided in paragraph (2), residency shall be determined in the same manner as is the case for establishing residency pursuant to Section 12505 of the Vehicle Code.

(2) In the case of members of the Armed Forces of the United

States, residency shall be deemed to be established when he or she was discharged from active service in this state.

(p) As used in this code, "basic firearms safety certificate" means a certificate issued by the Department of Justice pursuant to Article 8 (commencing with Section 12800) of Chapter 6 of Title 2 of Part 4, prior to January 1, 2003.

(q) As used in this code, "handgun safety certificate" means a certificate issued by the Department of Justice pursuant to Article 8 (commencing with Section 12800) of Chapter 6 of Title 2 of Part 4, as that article is operative on or after January 1, 2003.

(r) As used in this title, "gunsmith" means any person who is licensed as a dealer pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, who is engaged primarily in the business of repairing firearms, or making or fitting special barrels, stocks, or trigger mechanisms to firearms, or the agent or employee of that person.

SEC. 2. Section 12043 is added to the Penal Code, to read:

12043. (a) Any person who acquires or reacquires ownership of a handgun, or who reports his or her ownership of a handgun to the Department of Justice on or after July 1, 2008, and thereafter the handgun is stolen or irretrievably lost, shall, within five working days after his or her discovery or knowledge of, or within five working days after the date he or she should reasonably have known of, the theft or loss, report the theft or loss to a local law enforcement agency of the jurisdiction in which the theft or loss occurred or in which the person resides.

(b) Any person who violates subdivision (a) is guilty of an infraction punishable as follows:

(1) For a first violation of this section, by a fine not to exceed one hundred dollars (\$100).

(2) For a second or subsequent violation of this section, by a fine not to exceed two hundred fifty dollars (\$250).

(c) Any person who complies with subdivision (a) shall be immune from any civil liability for the illicit use or possession of the firearm occurring after the theft or loss. This subdivision shall not apply if the person had prior knowledge of the misconduct or was negligent with respect to the theft or loss of the firearm.

(d) No charge may be imposed for submitting a report pursuant to this section.

(e) The Department of Justice shall, in promulgating forms and reports pursuant to any provision of law that requires or allows a person to report his or her ownership of a handgun to the department, include information indicating the reporting requirements of this section.

(f) Commencing July 1, 2008, the licensee shall, at the time of delivering a handgun to a person acquiring ownership or to a person complying with the requirements of paragraph (2) of subdivision (f) of Section 12072, provide the person with a written notice of the requirements of this section in a format prescribed by the department. The licensee shall sign and date an affidavit in duplicate stating that the person receiving the handgun has been given the notice. The licensee shall additionally obtain the signature of the person receiving the handgun on the same affidavit. The licensee shall retain the original affidavit and provide the duplicate to the person receiving the handgun.

(g) Nothing in this section shall be construed to preempt an existing ordinance or to prevent a local government from enacting an ordinance, that imposes reporting requirements that are more strict than those specified in subdivision (a).

(h) Compliance with this section does not require that a person reporting a lost or stolen handgun report the make, model, and serial number of the handgun.

(i) The Attorney General, in cooperation with those law enforcement agencies and firearms-related organizations as may choose to do so, shall develop a protocol for the implementation of the provisions of this section. The protocol shall be completed on or before April 1, 2008.

(j) The provisions of this section are cumulative and shall not be construed as restricting the application of any other law. However, an act or omission punishable in different ways by this section and different provisions of this code shall not be punished under more than one provision.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

ASSEMBLY THIRD READING
 AB 334 (Levine)
 As Introduced February 13, 2007
 Majority vote

PUBLIC SAFETY 4-3 APPROPRIATIONS 10-5

Ayes:	Solorio, De La Torre, Leno, Portantino	Ayes:	Leno, Caballero, Davis, DeSaulnier, Huffman, Karnette, Krekorian, Lieu, Nava, Solorio
Nays:	Aghazarian, Huff, Ma	Nays:	Walters, Emmerson, La Malfa, Nakanishi, Sharon Runner

SUMMARY : Creates an infraction for any person who acquires or re-acquires ownership of a handgun or who reports his/her ownership of a handgun to the Department of Justice (DOJ) on or after July 1, 2008, to fail to notify local law enforcement if the handgun is lost or stolen, as specified. Specifically, this bill :

- 1) Provides that any person whose handgun is stolen or irretrievably lost and who, within five working days after his/her discovery or knowledge, fails (or within five days after the date he/she reasonably should have known of the theft or loss of the handgun) to report the theft or loss to the local law enforcement agency where the loss or theft occurred or where the person resides.
- 2) States that any person who does not report a lost or stolen handgun to local law enforcement within five days, as specified, shall be punished as follows:
 - a) For the first violation, by a fine not to exceed \$100; and,
 - b) For a second or subsequent violation, by a fine not to exceed \$250.
- 3) Requires the licensee to sign and date an affidavit in duplicate

stating that the person receiving the handgun has been given notice. The licensee shall additionally obtain the signature of the person receiving the handgun on the same affidavit.

- 4) States the licensee shall retain the original affidavit and provide the duplicate to the person receiving the handgun.
- 5) States that this bill shall not be construed as preempting an existing ordinance or to prevent a local government from enacting an ordinance that imposes reporting requirements that are stricter than those specified in this bill.

EXISTING LAW :

- 1) Provides that an infraction is not punishable by imprisonment and specified infractions are punishable by a fine of up to \$250.
- 2) Defines a "handgun" as any pistol, revolver, or firearm capable of being concealed on a person.
- 3) Requires DOJ to provide a report to the Legislature regarding the specific types of firearms used in the commission of crimes.
- 4) States the general requirement that the sale, loan or transfer of a firearm (i.e., handguns, rifles and shotguns) in California be conducted through a state-licensed firearms dealer or through a local sheriff's department in counties of less than 200,000 in population. A 10-day waiting period, background check, and handgun safety certificate for handgun transfers are required prior to delivery of the firearm.
- 5) States that, on request, DOJ will register transactions relating to handguns in the Automated Firearm System Unit for persons who are exempt from dealer processing or are otherwise exempt by statute from reporting processes.
- 6) Requires handguns to be centrally registered at time of transfer or sale due to various transfer forms centrally compiled by DOJ. DOJ is required to keep a registry from data sent to DOJ indicating who owns what handgun by make, model, and serial number and the date thereof.
- 7) States that law enforcement agencies must promptly report to DOJ

[

all reports it receives of lost, stolen, and found property.

- 8) States that DOJ must keep a centralized and computerized list of all lost, stolen, and found serialized property reported to DOJ.

FISCAL EFFECT : According to the Assembly Appropriations Committee analysis:

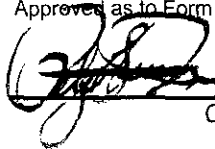
- 1) Negligible state costs to DOJ to track and list additional lost or stolen serialized property - current law requires DOJ to maintain a list of lost, stolen and found serialized property, which includes guns - and to develop an implementation protocol.
- 2) Minor local law enforcement costs, offset by minor fine revenue.

COMMENTS : According to the author, "This bill seeks to limit the ability of straw purchasers to supply guns to criminals who cannot legally own firearms. Often, criminals who are not eligible to own a gun contact a 'straw purchaser' who can legally purchase a firearm. This straw purchaser buys a gun, and then sells the gun on the black market to the person who cannot legally own a gun. When the new owner commits a crime with the black market gun, it is often traced back to the straw purchaser. The straw purchaser can then claim he lost the gun prior to the crime, and law enforcement is unable to prosecute. This bill would require a gun owner to report a lost or stolen gun. If the loss is not reported within five days, the registered owner of the firearm can be fined. This should significantly curb the ability of criminals to acquire firearms through straw purchasers. As gang violence has increased across California, particularly in the City of Los Angeles, new measures must be adopted to prevent dangerous criminals from obtaining these deadly weapons. The current patchwork of lost and stolen regulations adopted in some municipalities has proven ineffective at curbing the ability of straw purchasers to operate in the black market. A statewide lost and stolen requirement is a logical policy remedy to curb increasing gang violence in California."

Please see the policy committee analysis for full discussion of this bill.

Analysis Prepared by : Kimberly Horiuchi / PUB. S. / (916)
319-3744 FN: 0000397

OFFICE OF THE CLERK OF THE CITY OF OAKLAND
OAKLAND CITY COUNCIL



City Attorney

2007 JUN 14 11:05 AM
RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, ON BEHALF OF THE CITY OF OAKLAND TO SUPPORT ASSEMBLY BILL #334 (LEVINE), IF AMENDED, WHICH REQUIRES A HAND GUN OWNER TO REPORT A STOLEN OR IRRETRIEVABLY LOST HANDGUN WITHIN FIVE WORKING DAYS OF THE DISCOVERY TO A LOCAL LAW ENFORCEMENT AGENCY, AND REQUIRES FIREARM DEALERS TO POST A SIGN WARNING THAT ANY PERSON WHO FAILS TO REPORT THE LOSS OR THEFT OF A HANDGUN TO LAW ENFORCEMENT WITHIN FIVE DAYS MAY BE GUILTY OF AN INFRACTION

WHEREAS, the Oakland Police Department recommends that AB #334, once amended to include provisions which outline requirements of specific information that must be provided in reference to the firearm being reported by a citizen as stolen or missing, be endorsed by the City of Oakland ;
and

WHEREAS, this Bill will allow investigators and prosecutors to pursue additional charges against persons who frequently purchase guns legally then sell them on the *black market* to criminals; and

WHEREAS, the diversion of guns from the legal market to the illegal market, and into the hands of prohibited purchasers, including felons and gang members, would be reduced by this reporting requirement; now therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator, or her designee, on behalf of the City of Oakland to support if amended, Assembly Bill # 334.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST _____

LaTonda Simmons
City Clerk and Clerk of the Council,
City of Oakland, California