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CITY OF OAKLAND
BILL ANALYSIS



Date: April 3, 2013

Bill Number: AB 180

Bill Author: CA Assembly Member Rob Bonta

DEPARTMENT INFORMATION

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RECOMMENDED POSITION: SUPPORT

Summary of the Bill:

Registration and licensing of firearms: exclusive regulation by the Legislature. Existing law states the intention of the Legislature to occupy the whole field of regulation of registration or licensing of commercially manufactured firearms as encompassed by the Penal Code to the exclusion of all local regulations. This bill would provide an exception to those provisions by authorizing the City of Oakland to enact and enforce an ordinance or regulation that is more restrictive than state law regulating the registration or licensing of commercially manufactured firearms as encompassed by the Penal Code.

This bill further applies the following definitions:

Section 53071 of the Government Code is amended to read:

(a) It is the intention of the Legislature to occupy the whole field of regulation of the registration or licensing of commercially manufactured firearms as encompassed by the provisions of the Penal Code, and such provisions shall be exclusive of all local regulations, relating to registration or licensing of commercially manufactured firearms, by any political subdivision as defined in Section 1721 of the Labor Code.

(b) Notwithstanding subdivision (a), the City of Oakland may enact and enforce an ordinance or regulation that is more restrictive than state law regulating the registration or licensing of commercially manufactured firearms as encompassed by the Penal Code.

Positive Factors for Oakland

Oakland ranks as one of the most violent cities in the United States because of violent robberies as well as shootings and homicides. Oakland is making significant efforts to collaborate with other criminal justice agencies such as The Alameda County Sheriff, The Alameda County District Attorney, the California Highway Patrol, as well as Federal

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Criminal Justice departments. However, residents suffer from an extraordinary level of violent gun-related crime despite the City's crime prevention strategies.

In 2012, Oakland had 2,091 armed robberies, 783 shootings, and gun shootings accounted for most of the 131 homicides. As of March 31, 2013, Oakland had 22 homicides in the City of Oakland, the majority by way of firearms. According to our crime statistics, so far this year, we've had:

- 123 Aggravated Assaults involving a firearm
- 2 Assaults on a police officer involving a firearm
- 623 Robberies involving a firearm

Many Oakland residents and City leaders believe that the City can effectively reduce violent gun-related criminal activity in part through the implementation of stricter firearms licensing and registration requirements than are already in place at the state level.

Negative Factors for Oakland

There will not be any negative impacts merely from the passage of AB 180. However, the City may very well face legal action from different entities should Oakland choose to enact firearms regulations more restrictive than state law.

Known Support
Support Unknown

Known Opposition

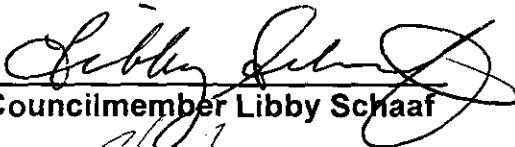
Gun rights advocacy groups such as the Fire Arms Policy Coalition have published their opposition to AB180.

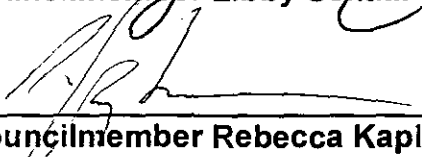
PLEASE RATE THE EFFECT OF THIS MEASURE ON THE CITY OF OAKLAND:


- X** Critical (top priority for 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)

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~~March 22, 2018~~

Respectfully Submitted,


Councilmember Libby Schaaf


Councilmember Rebecca Kaplan


City Attorney Barbara Parker