

CLETS Advisory Committee (CAC) Legislation Update

Updated 11.24.2020

PEACE OFFICERS/POLICE PRACTICES

1) Assembly Bill (AB) 846 (Burke) – Public Employment: Public Officers or Employees Declared by Law to be Peace Officers

Status: Chaptered (Chapter 322, Statutes of 2020).

AB 846 requires that a potential peace officer be evaluated by a physician and surgeon or psychologist and be found to be free from bias against race or ethnicity, gender, nationality, religion, disability, and sexual orientation in addition to other factors currently evaluated. It also requires every department or agency that employs peace officers to review the job descriptions used to recruit and hire those peace officers and make changes that emphasize community interaction and collaborative problem solving, and deemphasize the paramilitary aspects of the job.

2) AB 1196 (Gipson) – Peace Officers: Use of Force

Status: Chaptered (Chapter 324, Statutes of 2020).

AB 1196 prohibits a law enforcement agency (LEA) from authorizing the use of a carotid restraint or a choke hold.

3) AB 1506 (McCarty) – Police Use of Force

Status: Chaptered (Chapter 326, Statutes of 2020).

AB 1506, subject to appropriation, requires the Attorney General to investigate incidents of an officer-involved shooting that results in the death of an unarmed civilian, as defined. It authorizes the Attorney General to prepare and submit a written report, as specified, and, if one is completed, requires the Attorney General to post the report to a publicly-accessible website.

Commencing 7/1/2023, AB 1506 requires the Department of Justice (DOJ) to, upon request of a local LEA, review the use of deadly force policies of that agency and make recommendations on those policies.

FIREARMS

4) AB 2061 (Limon and Petrie-Norris) – Firearms: Inspections

Status: Chaptered (Chapter 273, Statutes of 2020).

Beginning 7/1/2022, AB 2061 allows the DOJ to inspect firearms dealers, ammunition vendors, or manufacturers participating in a gun show or event to ensure all transfers or sales are conducted in compliance with state and local laws. It also allows the DOJ to inspect ammunition vendors to ensure compliance with applicable state and federal laws.

5) AB 2617 (Gabriel) – Firearms: Prohibited Persons

Status: Chaptered (Chapter 286, Statutes of 2020).

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AB 2617 requires a law enforcement officer who requests a temporary emergency gun violence restraining order to file a copy of the order with the court within three court days of the issuance. The bill makes it a misdemeanor for a person to own or possess a firearm or ammunition with the knowledge that they are prohibited from doing so by an out-of-state gun violence restraining order. It also extends the period for which the person is prohibited from owning or possessing a firearm or ammunition for five years beyond expiration of the existing gun violence restraining order.

6) AB 2699 (Santiago) – Firearms: Unsafe Handguns

Status: Chaptered (Chapter 289, Statutes of 2020).

By 3/1/2021, AB 2699 requires the DOJ to issue a one-time notification, as specified, to all individuals and LEAs that are in possession of an unsafe handgun according to the DOJ's current records.

Thereafter, it requires the DOJ to issue a notice, as specified, to the individual or LEA taking possession of an unsafe handgun pursuant to an exemption at the time of purchase or transfer. Lastly, it requires individuals and LEAs in possession of an unsafe handgun to notify the DOJ of any sale or transfer of that handgun within 72 hours of the transaction.

7) AB 2847 (Chiu and Gabriel) – Firearms: Unsafe Handguns

Status: Chaptered (Chapter 292, Statutes of 2020).

Existing law requires manufacturers to imprint a microstamp in two or more places on the internal working parts of a newly manufactured semiautomatic pistol.

By 7/1/2022, AB 2847 requires firearms manufacturers to imprint a microstamp in one place on the interior of a newly manufactured semiautomatic pistol.

For each new firearm added to the roster of handguns that have been tested and determined not to be unsafe handguns, the bill requires the DOJ to remove three firearms from the roster that are not compliant with the microstamping requirements.

8) Senate Bill (SB) 914 (Portantino) – Firearms

Status: Failed Passage.

By 7/1/2021, SB 914 would have required the DOJ to confirm the validity of a hunting license with the Department of Fish and Wildlife during a background check when a person under the age of 21 is using the hunting license to purchase a firearm.

MISCELLANEOUS

9) AB 1969 (Blanca Rubio) – Secondhand Goods: Tangible Personal Property: Reporting Requirements

Status: Chaptered (Chapter 185, Statutes of 2020).

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Beginning 7/1/2023, AB 1969 exempts a seller or pledger who verifies their identity using a Matricula Consular from the requirements that their personal identifying information (PII) be reported to the California Pawn and Secondhand Dealer System (CAPSS). It requires each secondhand dealer or coin dealer to record and maintain specified PII of such a seller or pledger for three years from the date the item was reported to CAPSS, and provide it to law enforcement upon receiving notification that the item has been reported lost, stolen, or embezzled.

10) AB 2606 (Cenvantes) – Criminal Justice – Supervised Release File

Status: Chaptered (Chapter 332, Statutes of 2020).

Every 10 days, AB 2606 requires each county probation department or other supervising county agency to update any supervised release file that is available through CLETS by entering any person that is placed on post-conviction supervision in their jurisdiction.