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AB-311 Firearms: Del Mar Fairgrounds. (2021-2022)

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Assembly Bill No. 311

CHAPTER 139

An act to amend Section 4158 of the Food and Agricultural Code, relating to firearms.

[Approved by Governor July 21, 2022. Filed with Secretary of State July 21, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 311, Ward. Firearms: Del Mar Fairgrounds.

Existing law generally regulates the transfer of firearms and divides the state into agricultural districts. The 22nd District Agricultural Association is comprised of the County of San Diego and includes the Cities of Del Mar and San Diego. A violation of the statutes governing agricultural districts is generally a misdemeanor. Existing law prohibits the sale of firearms and ammunition at the Del Mar Fairgrounds property located in the 22nd District Agricultural Association, as specified.

This bill would additionally prohibit the sale of firearm precursor parts at the Del Mar Fairgrounds property. By expanding the scope of a 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 Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 4158 of the Food and Agricultural Code is amended to read:

4158. (a) Notwithstanding any other law, an officer, employee, operator, lessee, or licensee of the 22nd District Agricultural Association, as defined in Section 3873, shall not contract for, authorize, or allow the sale of any firearm, ammunition, or firearm precursor part on the property or in the buildings that comprise the Del Mar Fairgrounds in the County of San Diego, the City of Del Mar, the City of San Diego, or any successor or additional property owned, leased, or otherwise occupied or operated by the district.

(b) For purposes of this section, the following terms have the following meanings:

(1) "Ammunition" means the term as defined in subdivisions (a) and (b) of Section 16150 of the Penal Code.

(2) "Firearm" means the term as defined in subdivisions (a) and (b) of Section 16520 of the Penal Code.

(3) "Firearm precursor part" means the term as defined in Section 16531 of the Penal Code.

(c) This section does not apply to a gun buyback event held by a law enforcement agency.

SEC. 2. 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.